BIBLE LAW
VS.
THE UNITED STATES CONSTITUTION

The Christian Perspective

TED R. WEILAND

BIBLE LAW VS. THE UNITED STATES CONSTITUTION

The Christian Perspective

Chapter One

The Perfect Law of Yahweh

Before examining the United States Constitution and comparing it with Yahweh's1 righteousness as codified in His commandments, statutes, and judgments, we must demonstrate that His laws are the standard by which the Constitution (and everything else) must be judged:

> The law of YHWH2 is perfect, converting the soul: the testimony of YHWH is sure, making wise the simple. The statutes of YHWH are right, rejoicing the heart: the commandment of YHWH is pure, enlightening the eyes. The fear of YHWH is clean, enduring for ever: the judgments of YHWH are true and righteous altogether. More to be desired are they than gold, yea, than much fine gold: sweeter also than honey and the honeycomb. Moreover by them is thy servant warned: and in keeping of them there is great reward. (Psalm 19:7-11)3

Most modern-day fundamental Christians4 profess that Yahweh's law is perfect, but few of them believe these verses have any practical value today. Most of today's Christians are antinomian.5 They either believe Yahweh's law has little relevance to the New Covenant Christian or that it has been abolished altogether. 6 What irony! Many Christians identify themselves as New Testament or New Covenant Christians and yet they reject the foundation of the New Covenant:

> Behold, the days come, saith YHWH, that I will make a new covenant with the house of Israel, and with the house of Judah. ...[T]his shall be the covenant that I will make with the house of Israel; after those days, saith YHWH, I will put my law in their inward parts, and write it in their hearts; and will be their God, and they shall be my people. (Jeremiah 31:31-33)

According to Jeremiah (and the New Testament author of Hebrews, who quoted Jeremiah's prophecy in Hebrews 8:8-10), under the New Covenant Yahweh's laws would be written on the hearts and minds of His people7 for the purpose of putting them into daily practice. It is impossible to be a New Covenant Christian without pursuing Yahweh's laws both individually and societally.

Selective Hermeneutics

Antinomians quote select New Testament passages, which appear to abolish the laws of Yahweh, while completely ignoring the plethora of New Testament passages that declare Yahweh's laws are inherent to the New Covenant. The tragic consequences of this theology, which pits Scripture against Scripture, are found in the following list.

If you believe the laws of Yahweh have been abolished under the New Covenant, and, as a result, you are not pursuing His laws, you...

Believe heaven and earth have passed away.
"For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled." (Mathew 5:18)

Are least in the kingdom of heaven.

"Whosoever therefore shall break one of these least commandments, and shall teach men so, he shall be called the least in the kingdom of heaven: but whosoever shall do and teach them, the same shall be called great in the kingdom of heaven." (Matthew 5:19)

Are not accomplishing Yahweh's will, are not known by Yahweh, and will never live in His presence.

"Not every one that saith unto me, Lord, Lord, shall enter into the kingdom of heaven; but he that doeth the will of my Father which is in heaven. Many will say to me in that day, Lord, Lord, have we not prophesied in thy name? And in thy name have cast out devils? And in thy name done many wonderful works? And then will I profess unto them, I never knew you: depart from me, ye that work iniquity [anomian - lawlessness]." (Matthew 7:21-23)

Do not love Jesus.8
"If ye love me, keep my commandments." (John 14:15)

Do not abide in Jesus' love.
"If ye keep my commandments, ye shall abide in my love...." (John 15:10)

Do not believe the truth.
"...the truth in the law." (Romans 2:20)

Are unable to identify sin.
"...by the law is the knowledge of sin." (Romans 3:20)

Fail to exhibit true faith.
"Do we then make void the law through faith? God forbid: yea, we establish the law." (Romans 3:31)

Do not believe in what is holy, just, and good.
"Wherefore the law is holy, and the commandment holy, and just, and good." (Romans 7:12)

Do not believe in what is spiritual.
"For we know that the law is spiritual...." (Romans 7:14)

Are not living righteously or walking after the Spirit.
"That the righteousness of the law might be fulfilled in us, who walk not after the flesh, but after the Spirit." (Romans 8:4)

Are carnal and at enmity with Yahweh.
"Because the carnal mind is enmity against God: for it is not subject to the law of God, neither indeed can be." (Romans 8:7)

Are not pleasing to Yahweh.
"Circumcision is nothing, and uncircumcision is nothing, but the keeping of the commandments of God." (1 Corinthians 7:19)

Do not believe in Yahweh's goodness.
"But we know that the law is good, if a man use it lawfully." (1 Timothy 1:8)

Do not believe in the New Covenant.
"For this is the [New] covenant that I will make with the house of Israel after those days, saith the Lord; I will put my laws into their mind, and write them in their hearts...." (Hebrews 8:10)

Do not know Yahweh.
"And hereby we do know that we know him, if we keep his commandments." (1 John 2:3)

Are a liar, reject the truth, and do not have the love of God perfected in you.
"He that saith, I know him, and keepeth not his commandments, is a liar, and the truth is not in him. But whoso keepeth his word, in him verily is the love of God perfected: hereby know we that we are in him." (1 John 2:4-5)

Believe you cannot sin and, therefore, do not need Jesus as your Savior.
"Whosoever committeth sin transgresseth also the law: for sin is the transgression of the law." (1 John 3:4)

Do not love the children of Yahweh.
"By this we know that we love the children of God, when we love God, and keep his commandments." (1 John 5:2)

Do not love Yahweh.
"For this is the love of God, that we keep his commandments: and his commandments are not grievous." (1 John 5:3)

Are not a part of Yahweh's New Covenant remnant.
"And the dragon was wroth with the woman, and went to make war with the remnant of her seed, which keep the commandments of God, and have the testimony of Jesus Christ." (Revelation 12:17)

Are not one of Yahweh's saints.
"Here is the patience of the saints: here are they that keep the commandments of God, and the faith of Jesus." (Revelation 14:12)

Have no right to the tree of life.
"Blessed are they that do his commandments, that they may have right to the tree of life, and may enter in through the gates into the city." (Revelation 22:14)

Under Law or Under Grace

None of this is to say that Christians are under the law as were the Israelites during the Old (or Mosaic) Covenant. The Bible is very clear that New Covenant Christians are not under the law, but under grace (Romans 6:14). We are no longer required to perfectly keep all of Yahweh's moral laws and additional Old Covenant ordinances for righteousness as were the Israelites under the Mosaic Covenant:

And YHWH commanded us [Old Covenant Israelites] to do all these statutes, to fear YHWH our God, for our good always, that he might preserve us alive, as it is at this day. And it shall be our righteousness, if we observe to do all these commandments before YHWH our God, as he hath commanded us. (Deuteronomy 6:24-25)

For as many as are of the works of the law are under the curse: for it is written, Cursed is every one that continueth not in all things which are written in the book of the law to do them. (Galatians 3:10)

It was specifically this aspect of the Mosaic Covenant that Jesus fulfilled on our behalf:
For Christ is the end of the law for righteousness to every one that believeth. (Romans 10:4)
In Galatians 3:11, the Apostle Paul wrote, "no man is justified by the law in the sight of God" and in Galatians 5:4, "you [are] severed from Christ, you who are seeking to be justified by law, you have fallen from grace." Justification (our legal standing before Yahweh) is what provides us our righteousness (our moral standing before Yahweh). Justification, and thereby righteousness, is only attainable through Jesus' propitiating sacrifice on our behalf.

Having fulfilled the Old Covenant requirement of perfect righteousness - perfect obedience to Yahweh's laws, which equates with sinlessness - Jesus became our righteousness (1 Corinthians 1:26-31). Consequently, "every one that believeth"9 is justified by the blood-atoning sacrifice and resurrection of Jesus the Christ and is no longer under the law, but under grace.

That Christians are not under the law has been perverted to mean that Yahweh's moral laws have been abolished. If this were true, Jesus would have put an end to Yahweh's righteousness, which would effectively mean an end to Yahweh. What a horrific concept! "His character is revealed in his Law; indeed, it is a transcript of his character." 10 Because Malachi 3:6 tells us that Yahweh does not change, His morality, or righteousness, has not changed either:

Thy righteousness is an everlasting righteousness, and thy law is the truth. (Psalm 119:142)
Because Yahweh's law reflects His never-changing morality, His law cannot be abolished or altered. If Yahweh's law is imperfect, as some modern Christians seem to believe, so is Yahweh's morality. If Yahweh's morality is imperfect, so is Yahweh. And if Yahweh, His law, and His morality are all imperfect, then Yahweh is unrighteous. Not so:

...YHWH is upright ... and there is no unrighteousness in him. (Psalm 92:15)

Because Yahweh is perpetually righteous and holy, what He formerly deemed sin is still sin under the New Covenant. This does not mean that changes have not occurred between the Mosaic and Christian Covenants. The Mosaic Covenant required perfect obedience to obtain an imperfect justification. When the people fell short, the priests sacrificed sheep and cattle. Not until Jesus' blood-atoning sacrifice (Galatians 3:22-24, Hebrews 9:13-15) did those living during the Mosaic Covenant obtain perfect justification. The Mosaic Covenant's Levitical priesthood and its sacrificial system were fulfilled by Jesus and are no longer in effect. Christians are not under the law as were the Mosaic Israelites. Instead, we strive to keep the moral laws of Yahweh out of our love for Him and our fellow man:

Jesus said unto him, Thou shalt love YHWH thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment. And the second is like unto it, Thou shalt love thy neighbour as thyself. On these two commandments hang all the law.... (Matthew 22:37-40)

To fulfill the law is to love Yahweh and our neighbor. An antinomian (a lawless or law-rejecting) Christian is at best an oxymoron. According to Jude, antinomians deny both Yahweh and Jesus by their unscriptural theology:

Beloved, ... I ... write unto you, and exhort you that ye should earnestly contend for the faith which was once delivered unto the saints. For there are certain men crept in unawares, who were before of old ordained to this condemnation, ungodly men, turning the grace of our God into lasciviousness, and denying the only Lord God, and our Lord Jesus Christ. (Jude 1:3-4)

Where the King James translated as elgeian as "lasciviousness," the New American Standard Bible translated it as "licentiousness." In his 1828 American Dictionary of the English Language, Noah Webster defined "licentiousness" as "excessive indulgence of liberty; contempt of the just restraints of law...."[11] By their rejection of His law, antinomians turn Yahweh's grace into licentiousness; they are humanists dressed in Christian attire. Without Yahweh's moral compass, every man is a law unto himself.

The antithesis of Yahweh's law is not grace, but lawlessness and, therefore, sin. Yahweh's laws are meant to keep us from sinning; grace is the solution after we have sinned. Puritan minister Samuel Bolton (1606-1654) wrote, "The law sends us to the gospel for our justification; the gospel sends us to the law to frame our way of life." [12]

Galatians 3

Those who promote the idea that Yahweh's laws are no longer pertinent under the New Covenant often refer to Paul's epistle to the Galatians:

But before faith came, we were kept under the law, shut up unto the faith which should afterwards be revealed. Wherefore the law was our schoolmaster to bring us unto Christ, that we might be justified by faith. But after that faith is come, we are no longer under a schoolmaster. (Galatians 3:23-25)

Antinomians are quick to declare, "See, the law is no longer valid today!" Which law? The Greek word nomos, from which the New Testament word "law" is translated, has a variety of New Testament applications:

Any law whatsoever.

The law of Jesus.

The entire Old Testament, including the Psalms, Proverbs, and Prophets.

The Pentateuch (the first five books of the Old Testament).

The Mosaic Covenant and its sacrificial and ceremonial ordinances.

The moral laws of Yahweh, contained in His commandments, statutes, and judgments.

Christians who teach Yahweh's laws are no longer relevant usually choose some combination of 5 and 6. Seldom do they consider the other options because, in most instances, no one has taught them other options exist.

The Correct Choice

We must be careful to determine which law Paul is referring to. Otherwise, it may appear that Paul contradicts himself. For example, in Galatians 3, Paul wrote that because faith had come, Christians are no longer under the schoolmaster (the law). Then, in Romans 3, he declares:

Do we then make void the law through faith? God forbid: yea, we establish the law. (Romans 3:31)

Either Paul was talking about two different laws, or he was not divinely inspired. If we do not correctly identify which law Jesus put an end to in Galatians 3, we place Paul at odds, not only with himself, but also with Jesus:

For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled. Whosoever therefore shall break one of these least commandments, and shall teach men so, he shall be called the least in the kingdom of heaven: but whosoever shall do and teach them, the same shall be called great in the kingdom of heaven. (Matthew 5:18-19)

Either Paul was not referring to the commandments and their respective statutes and judgments in Galatians 3, or heaven and earth have passed away - or neither Jesus and Paul knew what they were talking about. As we will see, Galatians 3 is one of the keys to understanding what was fulfilled and abolished under the New Covenant.

In Galatians 3:16-17, Paul identified the law that was annulled as the law added four hundred and thirty years after the promises were given to Abraham. This means only what was added at Mt. Sinai was abolished under the New Covenant. Any law in existence prior to the Mosaic Covenant cannot be the law Jesus repealed.

Prior Existence

Most Christians are unaware that Yahweh's moral laws existed long before their codification (transcription on stone) at Mt. Sinai - although this should be self-evident. Unlike man, Yahweh is not fickle. Because His morality is the same yesterday, today, and forever, His moral laws have not changed one jot or one tittle. The Bible provides pre-Sinai evidence that Yahweh's laws were in existence and, therefore, could not have been added at Mt. Sinai. For example, over 500 years prior to Moses, Abraham kept the commandments, statutes, and judgments later codified by Moses:
...Abraham obeyed my [Yahweh's] voice, and kept my charge, my commandments, my statutes, and my laws. (Genesis 26:5)

The book of Jasher13 expounds upon Abraham's law observance:

...Abram served the Lord his God all the days of his life, and he walked in His ways and followed His law. (Jasher 12:42)

...He [Yahweh] said unto me [Abraham], to thy seed I will give all these lands, and they shall inherit them when they keep my commandments, my statutes and my judgments that I have commanded thee [Isaac], and which I shall command them. Now therefore my son, hearken to my voice, and keep the commandments of the Lord thy God ... that it may be well with thee and thy children forever. ...[T]each then thy children and thy seed the instruction of the Lord and His commandments. (Jasher 26:24-26)

This is very similar to what we find in Genesis 18:

For I know him [Abraham], that he will command his children and his household after him, and they shall keep the way of YHWH, to do justice and judgment [righteousness and justice, NASB]; that YHWH may bring upon Abraham that which he hath spoken of him. (Genesis 18:19)

Righteousness and justice are only found in Yahweh's morality as delineated in His commandments, statutes, and judgments. The structuring of Yahweh's moral law in Jasher 26 into three integral components - commandments, statutes, and judgments - is the same structure Moses later codified in the Pentateuch:

Now these are the commandments, the statutes, and the judgments, which YHWH your God commanded to teach you.... (Deuteronomy 6:1)

No written testimony of Yahweh's laws exists in their entirety before Mt. Sinai, but they existed nonetheless. After all, they reflect Yahweh's never-changing morality. They were verbally imparted from generation to generation, from Adam to Seth to Noah to Shem and to their progeny.

Because of Transgressions

The Apostle John defines sin as a transgression of Yahweh's law:

...whosoever committeth sin transgresseth also the law: for sin is the transgression of the law. (1 John 3:4)

When Paul in Galatians 3:19 declared the law was "added because of transgressions" committed during the pre-Mosaic dispensation, he provided additional proof that Yahweh's moral laws existed before Mt. Sinai. The sins alluded to by Paul in Galatians 3 were transgressions of Yahweh's commandments, statutes, and judgments during the period between Adam and Moses. Where there is no law, there can be no transgression. Therefore, Yahweh's moral laws existed before the exodus of the Israelites from Egypt and could not have been the laws that were added at Mt. Sinai. As a result, the commandments, statutes, and judgments also could not have been the added law fulfilled and abolished by Jesus.

The Added Law

If Yahweh's commandments, statutes, and judgments were not the law to which Paul alluded in Galatians 3, to what law was he referring? Galatians 3:19 refers to two different laws: one law that existed before Mt. Sinai (the commandments, statutes, and judgments) that the Israelites and their Hebrew ancestors transgressed, and another law, the Mosaic Covenant and its sacrificial and ceremonial ordinances, which were added to Yahweh's pre-existing commandments, statutes, and judgments at Mt. Sinai. Hebrews 7:19-22 uses the words "covenant" and "law" interchangeably. Although comprised of other components, a covenant is a law in itself, only more comprehensive in its scope and application. Galatians 3:19 is correctly interpreted in the following fashion:

Wherefore then serveth the law [the Mosaic Covenant]? It was added because of transgressions [of Yahweh's commandments, statutes, and judgments during the Abrahamic Covenant].... (Galatians 3:19)

Yahweh's commandments, statutes, and judgments were already in existence. They were not the law added at Mt. Sinai, and therefore they could not have been abolished under the New Covenant. The Mosaic Covenant, specifically its sacrificial and ceremonial ordinances, was the schoolmaster that is mentioned in Galatians 3:24, which was fulfilled and abolished when Jesus sacrificed Himself in payment for our sins:

The Old Covenant was a contract that was added and attached to YHWH's law. YHWH's law predated the Old Covenant, thus, the Old Covenant does not equate to YHWH's law. The Old Covenant was added and attached to YHWH's law that already existed. The Old Covenant was a package that came and went on its own ... without changing or altering YHWH's law. When the Old Covenant came, it was not the start of YHWH's law ... and when the Old Covenant ended, it was not the end of YHWH's law.

...He [Jesus] certainly did not do away with the law. He established a New Covenant (a new attachment) as an advanced and more efficient approach to fulfilling and obeying YHWH's law. 14
Many contemporary Christians believe a "higher" New Covenant law superseded the Old Covenant law. Although the New Covenant did supersede the Old Covenant (Hebrews 7:22, 8:6-7), it does not

supersede the Old Covenant canon because Yahweh's moral laws are the same under both Covenants. One covenant replaced the other, but the moral laws of Yahweh remain the same under both covenants.

What Exactly?

What exactly was added to the existing commandments, statutes, and judgments four hundred and thirty years after the promises were given to Abraham? The Mosaic Covenant - including the Levitical priesthood, temple services, obligatory compliance to Yahweh's already existing commandments, statutes, and judgments, and animal and other sacrifices for justification - was added at Mt. Sinai and abolished at the cross. Under the New Covenant, Jesus is our high priest, our temple, our sacrifice, and our justification. He fulfilled everything that was added at Mt. Sinai. His perfect fulfillment of the requirements of the Mosaic Covenant does not mean we are now free to steal, rape, and murder. Nor does it absolve Yahweh's subjects from pursuing His perfect law at every level of society.

Compulsory vs. Voluntary Compliance

The major difference between the Abrahamic and Mosaic Covenants was voluntary versus compulsory compliance. Paul wrote to the Galatian Christians that the law - the Mosaic Covenant - was added because of Israel's transgressions. Because the Israelites did not love Yahweh and their fellow man enough to freely comply with the moral laws, which had been in existence from the beginning of time, Yahweh put them under compulsory compliance - "in custody" (Galatians 3:23 NASB) - by way of the Mosaic Covenant and its additional sacrificial and ceremonial ordinances. Under that Covenant, the Israelites were compelled to keep His laws in order to be justified before God. Moses explained it in the following fashion:

...it shall be our righteousness, if we observe to do all these commandments before YHWH our God, as he hath commanded us. (Deuteronomy 6:25)

It was this compulsory compliance for righteousness that Jesus abolished:

...Christ is the end of the law for righteousness to every one that believeth. (Romans 10:4)
Paul did not say that Jesus was the end of the law, period, but rather that He was the end of the law (the Mosaic Covenant) for righteousness. Jesus was the end of the Mosaic Covenant, not Yahweh's commandments, statutes, and judgments.

Under the Mosaic Covenant, the Israelites were compelled to keep Yahweh's moral laws, which had been written on stone. Under the Abrahamic and Christian Covenants, those same commandments, statutes, and judgments, written on our hearts and minds, were and are obeyed voluntarily out of love for Yahweh and our fellow man. Jesus' sacrificial death and resurrection did not abolish Yahweh's law but reestablished it as Yahweh initially intended it to have been observed from the beginning. Yahweh's intent has always been for His people to voluntarily keep His law. New Covenant Christians are empowered by Yahweh's indwelling Spirit to do what was impossible under the Mosaic Covenant:

That the righteousness of the law might be fulfilled in us, who walk not after the flesh, but after the Spirit.... Because the carnal mind is enmity against God: for it is not subject to the law of God, neither indeed can be. So then they that are in the flesh cannot please God. But ye are not in the flesh, but in the Spirit, if so be that the Spirit of God dwell in you.... (Romans 8:4-9)
Kenneth Gentry explained:

...in the New Covenant [Yahweh's law] is written directly on the table of the heart to ethically empower men. This, of course, alludes to the pouring out of God's Spirit to indwell his people so that we might better keep God's standards. ...[T]he new covenant does not bring with it a new Law, but rather a new power to keep the same Law. SUP 15

Although obedience is voluntary under the New Covenant, anyone who does not strive to obey Yahweh's laws is nevertheless carnal and at enmity with Him. Such a person does not love Him, as demonstrated by his refusal to obey His laws, the transgression of which is sin.

Perfection

These commandments, which, like a collection of diamonds, bear testimony to their own intrinsic worth, in themselves appeal to us as coming from a superhuman or divine source, and no conscientious or reasonable man has yet been able to find a flaw in them. Absolutely flawless, negative in terms, but positive in meaning, they easily stand at the head of our whole moral system, and no nation or people can long continue a happy existence in open violation of them. Moore v. Strickling (1899) 16

Christians today - persuaded by antinomian pastors that Yahweh's laws are no longer applicable - rarely take the time to study Yahweh's laws and appreciate their perfection:

I have written to him the great things of my law, but they were counted as a strange thing. (Hosea 8:12)

The rewards of meditating upon and observing His laws are too vast to enumerate in this chapter, but consider just the following:

O how love I thy law! It is my meditation all the day. Thou through thy commandments hast made me wiser than mine enemies.... I have more understanding than all my teachers: for thy testimonies are my meditation. I understand more than the ancients, because I keep thy precepts. (Psalm 119:97-100)

Burdensome and Impractical

Antinomian pastors, who often describe Yahweh's law as burdensome and impractical, are obliged to explain why King David and the Apostle Paul delighted in His law.

Teach me, O YHWH, the way of thy statutes; and I shall keep it unto the end. Give me understanding, and I shall keep thy law; yea, I shall observe it with my whole heart. Make me to go in the path of thy commandments; for therein do I delight. (Psalm 119:33-35)

For I delight in the law of God after the inward man.... So then with the mind I myself serve the law of God.... (Romans 7:22, 25)

Both these men understood the perfection of Yahweh's laws and the rewards gained by those who delight in them. Today's Christians need to decide whom they are going to believe: antinomians who preach that Yahweh's laws are burdensome, or the Apostle John:

By this we know that we love the children of God, when we love God, and keep his commandments. For this is the love of God, that we keep his commandments: and his commandments are not grievous [burdensome, NASB]. (1 John 5:2-3)

If America's federal regulations, not to mention the statutes of each of the fifty states, had been written on stone at the time of Moses, he would have needed hundreds of carts to haul them down Mt. Sinai. As King Solomon wrote in Proverbs 13:15, it is not the law of Yahweh that is difficult, but rather the way of the transgressor.

In John 8:36, Jesus informed us that "if the Son therefore shall make [us] free, [we] shall be free indeed." This freedom begins with salvation in Jesus and is developed and preserved by His perfect law of liberty. It is a sad commentary that the majority of Christians, while giving lip service to Psalm 19:7, do not really believe it. If they did, they would relentlessly pursue Yahweh's perfect law in their personal lives, the lives of their families, their churches, their immediate communities, and their nations.

The Perfect Law of Liberty

...whoso looketh into the perfect law of liberty, and continueth therein, he being not a forgetful hearer, but a doer of the work, this man shall be blessed in his deed. (James 1:25)
The perfect law of liberty referred to by James is the same law of liberty the Psalmist wrote about:
The law of YHWH is perfect, converting the soul.... (Psalm 19:7)

So shall I keep thy law continually for ever and ever. And I will walk at liberty.... (Psalm 119:44-45)
H.B. Clark points out that "the 'Law of Liberty' ... from the context of the Epistle ... is the commandment to 'love thy neighbor as thyself,'" 17 from which, along with the great commandment (loving Yahweh with all your heart, soul, and mind), hang all of Yahweh's moral law, as codified in His commandments, statutes and judgments (Matthew 22:37-40).

Liberty must not be confused with freedom from our sins. Only Jesus' blood-atoning sacrifice can accomplish the latter. Nevertheless, the implementation of Yahweh's perfect law of liberty would resolve every problem facing America today. It would liberate us from:

Unchecked crime and immorality

Infanticide

Repressive government and crooked politicians

Corrupt juridical system18

Corrupt justices

Crooked lawyers

Rigged juries and ignorant jurors

Election fraud19

Special interest groups

Bureaucratic entanglements

Licenses and permits

Gun control20

Prisons and their exorbitant costs and myriad problems21

A fraudulent economic and banking system

The Federal Reserve

The Internal Revenue Service

Oppressive taxation22

Eminent domain

Socialistic welfare system

Unethical insurance system

Unlawful immigration

Multiculturalism, pluralism, and polytheism23

All of this and much more would disappear with the implementation of Yahweh's law:

Indeed, Biblical laws deal with topics ranging from criminal and penal law to judicial procedure and the administration of justice, commercial law, torts and injuries, family law, property law, estate planning, martial law, and social welfare, in addition to the laws concerning divine sanctity, cultic sacrifice, and religious taboos that usually comes to mind when people first think of law in the Bible. 24

Why do today's Christians want to forfeit the perfect, never-changing, infallible laws of Yahweh for the imperfect, ever-changing, fallible laws such as the United States Constitution? For example, Pastor Chuck Baldwin (the Constitution Party's 2008 presidential candidate) made the following appeal for a purer constitutionalism in his July 10, 2007, Internet commentary "Can You Imagine This Country?":

Can you imagine a nation without the I.R.S.? Can you imagine a nation with little crime and where children were free to pray in schools? Can you imagine a nation where the father's income was able to adequately provide for his household? Can you imagine a country with low divorce rates and where virtually everyone with a high school diploma could both read and write and was capable of earning his or her way in society?

Can you imagine a nation without an A.C.L.U. or a N.E.A.? Can you imagine a country that did not legally murder its own unborn children and that would not pander to sexual deviants or criminals? Can you imagine a country that did not glorify, much less sponsor, gambling? Can you imagine a nation with strong state governments and a limited federal government?

Can you imagine a country where you could order a firearm through a catalog and where there was no such thing as a B.A.T.F.? 25

Why would we want to return to the document that created this mess - a document Benjamin Franklin predicted "can only end in Despotism"? 26 Other than public schools and state and national governments, everything Baldwin offered is attainable through Yahweh's law without government intervention. Because the Constitution does not address such things as infanticide and sodomy, a return to a purer constitutionalism will do nothing to change these and similar abominations. A return to Yahweh's morality, as found in His commandments, statutes, and judgments, will put an end to all of them.

Yahweh's All-Sufficient Law

All scripture is given by inspiration of God, and is profitable for doctrine, for reproof, for correction, for instruction in righteousness: That the man of God may be perfect, thoroughly furnished unto all good works. (2 Timothy 3:16-17)

Many Christians believe the first half of verse 16 but not the second half and especially not verse 17. When Paul wrote "all scripture is given by inspiration of God," very little of the New Testament had yet been written. He was referring to the Old Testament. The inspired laws of Yahweh, in particular, are profitable for doctrine, for reproof, for correction, and for instruction in righteousness so that a man of God or a society of godly men might be perfect and thoroughly furnished unto all good works. Only a perfect God, through a perfect Savior and perfect laws, can produce perfect men. Why would we need or want a man-made constitution governing our people - especially one that so often contradicts Yahweh's Constitution?

I know that, whatsoever God doeth, it shall be for ever: nothing can be put to it, nor any thing taken from it: and God doeth it, that men should fear before him. (Ecclesiastes 3:14)

What is all-sufficient for us as individuals is also all-sufficient for us as a group of individuals - a society. This is what is often known as sola scriptura, Latin for "by Scripture alone," meaning that the Scriptures provide everything necessary for salvation, faith, and life in general. Yahweh's perfect laws are our means of implementing His kingdom here on earth as it is in heaven. To reject Yahweh's law as inapplicable to any facet of society is equivalent to rejecting not only Yahweh's kingdom but also Yahweh Himself as our Sovereign. "God cannot be robbed of sovereignty at one point without soon being denied sovereignty at all points." 27 To seek Yahweh is to seek His kingdom, and to seek His kingdom is to seek His law:

...should not a people seek unto their God? ...To the law and to the testimony: if they speak not according to this word, it is because there is no light in them. (Isaiah 8:19-20)

Because Yahweh's moral laws are perfect, they are as applicable today under the New Covenant as they were under the Old Covenant:

Generally it will be seen that Biblical Law is no less sound and useable today than when it first was written. And one who will carefully examine its rules and attempt to trace their workings will be astonished to find how completely they cover the entire field of civil, domestic, and even social life.28

Everything - including the Constitution - must be measured by this standard. Anything to the contrary is imperfect. What the framers said at any given time regarding their beliefs, or lack thereof, is irrelevant. Their legacy - the Constitution - speaks for itself. The Constitution must be assessed by the perfect laws of Yahweh. On this standard alone, it stands or falls as a Christian document:

Every course of life is to be tried by this test and judged by this standard - the Bible alone. Hale v. Everett (1868) 29

On February 22, 1756, John Adams recorded the following in his diary:

Suppose a nation in some distant region should take the Bible for their only law book, and every member should regulate his conduct by the precepts there exhibited! Every member would be obliged in conscience, to temperance, frugality, and industry; to justice, kindness, and charity towards his fellow men; and to piety, love, and reverence toward Almighty God.... What a Eutopia [sic], what a Paradise would this region be. 30

Not only is this true of any government based upon the Bible, but the last sentence is a tacit confession that the Constitution was not based upon the Bible. It is incumbent upon anyone claiming to be both a Christian and a Constitutionalist31 to demonstrate that the Constitution is compatible with Yahweh's law:

Since all true, legitimate law is based on God's laws, no human laws can be valid if they contradict this higher law.... Any law contrary to God's law is considered void or invalid. 32

The Constitution maintains harmony with Yahweh's law on a few minor issues. But for every insignificant issue on which the two agree, we find at least a dozen significant issues where they are antithetical to each other. How can Christian Constitutionalists champion sola scriptura while also promoting the Constitution? Beginning with Chapter 3, we will examine the Constitution, article by article and amendment by amendment, in light of Yahweh's perfect law, to determine its Biblical legitimacy and demonstrate the supremacy of Yahweh's law.

End Notes

1. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Mission to Israel Ministries, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

2. Where the Tetragrammaton (YHWH) - the four Hebrew characters that represent the personal name of God - has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Mission to Israel Ministries, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

3. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

4. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book Baptism: All You Wanted to Know and More may be requested from Mission to Israel Ministries, PO Box 248, Scottsbluff, Nebraska 69363, for free.

5. "antinomian ... a person who maintains that Christians are freed from the moral law by virtue of grace and faith." Random House Webster's College Dictionary, s.v. "antinomian" (New York, NY:

Random House, 2000) p. 59.

6. Even many alleged pronomians are, at best, only two-thirds pronomian. They are interested in restoring Yahweh's commandments and statutes, but not His judgments. See Chapter 17 "Amendment 8: Bail, Fines, and Cruel and Unusual Punishments?" for additional information regarding Christian fear of Yahweh's judgments.

7. Not only do most "New Testament Christians" reject the law component of the New Covenant, they also either ignore or dismiss the importance of with whom Yahweh declared He would make His New Covenant. For a more thorough explanation regarding the who of the New Covenant, The Mystery of the Gentiles: Who Are They and Where Are They Now? may be read online, or the book may be ordered from Mission to Israel Ministries, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $10 donation.*

8. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to the Apostle Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Mission to Israel Ministries, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

9. Biblical faith entails more than simply belief. Belief alone does not justify us. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied in order to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, Baptism: All You Wanted to Know and More may be requested from Mission to Israel Ministries, PO Box 248, Scottsbluff, Nebraska 69363, for free.

10. Kenneth L. Gentry, Jr., God's Law Made Easy: You Can Understand the Case for God's Law Today (Draper, VA: Aplogetics Group Media, 2010) p. 13.

11. Noah Webster, American Dictionary of the English Language, s.v. "licentiousness" (1828; reprint ed. San Francisco, CA: The Foundation for American Christian Education, 1967).

12. Samuel Bolton, The Moral Law: A Rule of Obedience, http://www.the-highway.com/articleFeb00.html.

13. Although Jasher is not a part of canonized Scripture, it is cited in Joshua 10:13 and 2 Samuel 1:18 and referenced in 2 Timothy 3:8.

14. "Romans 13 (Part 2)," The Voice of the Promised, April 2010, Special Edition, p. 1.

15. Gentry, pp. 11, 78.

16. Moore v. Strickling (1899) 46 W.Va. 515, 33 SE 274, 50 LRA 279, 282.

17. H.B. Clark, Clark's Biblical Law, Second Edition (Portland, OR: Binfords & Mort, 1943) p. 12.

18. See Chapter 6 "Article 3: Judicial Usurpation" for information regarding the Constitution's non-Biblical juridical system.

19. See Chapter 5 "Article 2: Executive Usurpation" for information regarding the Constitution's non-Biblical electoral system.

20. See Chapter 12 "Amendment 2: Constitutional vs. Biblical Self-Defense" for information regarding our Biblical responsibility to protect ourselves and others.

21. See Chapter 22 "Amendment 13: Constitutional vs. Biblical Slavery" for information regarding today's non-Biblical prison system.

22. See Chapter 25 "Amendment 16: Graduated Income Tax vs. Flat Increase Tax" for information regarding the unbiblical nature of the Constitutional Republic's tax system.

23. See Chapter 11 "Amendment 1: Government-Sanctioned Polytheism" for information regarding the constitutional provision for multiculturalism, pluralism, and polytheism.

24. John W. Welch, "Biblical Law in America: Historical Perspectives and Potentials for Reform," Brigham Young University Law Review 30 September 2002, p. 613, http://www.contra-mundum.org/essays/theonomy/WEL1.pdf.

25. Chuck Baldwin, "Can You Imagine This Country?" Chuck-Wagon Email Commentary, 10 July 2007, http://www.chuckbaldwinlive.com.

26. Benjamin Franklin, Ormond Seavey, ed., "Speech in the Constitutional Convention at the Conclusion of it Deliberations," Autobiography and Other Writings (Oxford: Oxford University Press, 1998) p. 350.

27. Rousas John Rushdoony, Sovereignty (Vallecito, CA: Ross House Books, 2007) p. v.

28. Clark, p. vii.

29. Hale v. Everett (1868) 53 NH 9, 16 AR 82, 191.

30. John Adams, Charles Francis Adams, ed., The Works of John Adams - Second President of the United States, 10 vols. (Boston, MA: Little, Brown & Co., 1854) vol. 9, p. 229.

31. I am employing the term "Constitutionalists" in reference both to those who are formal members of the Constitution Party and to anyone else who believes in and endorses the Constitution.

32. Mark A. Beliles and Douglas S. Anderson, Contending for the Constitution: Recalling the Christian Influence on the Writing of the Constitution and the Biblical Basis of American Law and Liberty (Charlottesville, VA: Providence Foundation, 2005) p. 99.

*In keeping with 2 Corinthians 9:7, ChristianIdentityChurch.com is supported by freewill offerings. We are admonished in Matthew 10:8 that “freely ye have received, freely give.”

Chapter 1
The Perfect Law of Yahweh

Before examining the United States Constitution and comparing it with Yahweh's[1] righteousness as codified in His commandments, statutes, and judgments, we must demonstrate that His laws are the standard by which the Constitution (and everything else) must be judged:

The law of YHWH[2] is perfect, converting the soul: the testimony of YHWH is sure, making wise the simple. The statutes of YHWH are right, rejoicing the heart: the commandment of YHWH is pure, enlightening the eyes. The fear of YHWH is clean, enduring for ever: the judgments of YHWH are true and righteous altogether. More to be desired are they than gold, yea, than much fine gold: sweeter also than honey and the honeycomb. Moreover by them is thy servant warned: and in keeping of them there is great reward. (Psalm 19:7-11)[3]

Most modern-day fundamental Christians[4] profess that Yahweh's law is perfect, but few of them believe these verses have any practical value today. Most of today's Christians are antinomian.[5] They either believe Yahweh's law has little relevance to the New Covenant Christian or that it has been abolished altogether. [6] What irony! Many Christians identify themselves as New Testament or New Covenant Christians and yet they reject the foundation of the New Covenant:

Behold, the days come, saith YHWH, that I will make a new covenant with the house of Israel, and with the house of Judah. …[T]his shall be the covenant that I will make with the house of Israel; after those days, saith YHWH, I will put my law in their inward parts, and write it in their hearts; and will be their God, and they shall be my people. (Jeremiah 31:31-33)

According to Jeremiah (and the New Testament author of Hebrews, who quoted Jeremiah's prophecy in Hebrews 8:8-10), under the New Covenant Yahweh's laws would be written on the hearts and minds of His people[7] for the purpose of putting them into daily practice. It is impossible to be a New Covenant Christian without pursuing Yahweh's laws both individually and societally.

Selective Hermeneutics

Antinomians quote select New Testament passages, which appear to abolish the laws of Yahweh, while completely ignoring the plethora of New Testament passages that declare Yahweh's laws are inherent to the New Covenant. The tragic consequences of this theology, which pits Scripture against Scripture, are found in the following list.

If you believe the laws of Yahweh have been abolished under the New Covenant, and, as a result, you are not pursuing His laws, you…

- Believe heaven and earth have passed away.

  •"For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled." (Mathew 5:18)

  •Are least in the kingdom of heaven.

"Whosoever therefore shall break one of these least commandments, and shall teach men so, he shall be called the least in the kingdom of heaven: but whosoever shall do and teach them, the same shall be called great in the kingdom of heaven." (Matthew 5:19)

•Are not accomplishing Yahweh's will, are not known by Yahweh, and will never live in His presence.

"Not every one that saith unto me, Lord, Lord, shall enter into the kingdom of heaven; but he that doeth the will of my Father which is in heaven. Many will say to me in that day, Lord, Lord, have we not prophesied in thy name? And in thy name have cast out devils? And in thy name done many wonderful works? And then will I profess unto them, I never knew you: depart from me, ye that work iniquity [anomian – lawlessness]." (Matthew 7:21-23)

•Do not love Jesus.[8]

"If ye love me, keep my commandments." (John 14:15)

•Do not abide in Jesus' love.

"If ye keep my commandments, ye shall abide in my love...." (John 15:10)

•Do not believe the truth.

"…the truth in the law." (Romans 2:20)

•Are unable to identify sin.

"…by the law is the knowledge of sin." (Romans 3:20)

•Fail to exhibit true faith.

"Do we then make void the law through faith? God forbid: yea, we establish the law." (Romans 3:31)

•Do not believe in what is holy, just, and good.

"Wherefore the law is holy, and the commandment holy, and just, and good." (Romans 7:12)

•Do not believe in what is spiritual.

"For we know that the law is spiritual...." (Romans 7:14)

•Are not living righteously or walking after the Spirit.

"That the righteousness of the law might be fulfilled in us, who walk not after the flesh, but after the Spirit." (Romans 8:4)

•Are carnal and at enmity with Yahweh.

"Because the carnal mind is enmity against God: for it is not subject to the law of God, neither indeed can be." (Romans 8:7)

•Are not pleasing to Yahweh.

"Circumcision is nothing, and uncircumcision is nothing, but the keeping of the commandments of God." (1 Corinthians 7:19)

•Do not believe in Yahweh's goodness.

"But we know that the law is good, if a man use it lawfully." (1 Timothy 1:8)

•Do not believe in the New Covenant.

"For this is the [New] covenant that I will make with the house of Israel after those days, saith the Lord; I will put my laws into their mind, and write them in their hearts…." (Hebrews 8:10)

•Do not know Yahweh.

"And hereby we do know that we know him, if we keep his commandments." (1 John 2:3)

•Are a liar, reject the truth, and do not have the love of God perfected in you.

"He that saith, I know him, and keepeth not his commandments, is a liar, and the truth is not in him. But whoso keepeth his word, in him verily is the love of God perfected: hereby know we that we are in him." (1 John 2:4-5)

•Believe you cannot sin and, therefore, do not need Jesus as your Savior.

"Whosoever committeth sin transgresseth also the law: for sin is the transgression of the law." (1 John 3:4)

•Do not love the children of Yahweh.

"By this we know that we love the children of God, when we love God, and keep his commandments." (1 John 5:2)

•Do not love Yahweh.

"For this is the love of God, that we keep his commandments: and his commandments are not grievous." (1 John 5:3)

•Are not a part of Yahweh's New Covenant remnant.

"And the dragon was wroth with the woman, and went to make war with the remnant of her seed, which keep the commandments of God, and have the testimony of Jesus Christ." (Revelation 12:17)

•Are not one of Yahweh's saints.

"Here is the patience of the saints: here are they that keep the commandments of God, and the faith of Jesus." (Revelation 14:12)

•Have no right to the tree of life.

"Blessed are they that do his commandments, that they may have right to the tree of life, and may enter in through the gates into the city." (Revelation 22:14)

Under Law or Under Grace

None of this is to say that Christians are under the law as were the Israelites during the Old (or Mosaic) Covenant. The Bible is very clear that New Covenant Christians are not under the law, but under grace (Romans 6:14). We are no longer required to perfectly keep all of Yahweh's moral laws and additional Old Covenant ordinances for righteousness as were the Israelites under the Mosaic Covenant:

And YHWH commanded us [Old Covenant Israelites] to do all these statutes, to fear YHWH our God, for our good always, that he might preserve us alive, as it is at this day. And it shall be our righteousness, if we observe to do all these commandments before YHWH our God, as he hath commanded us. (Deuteronomy 6:24-25)

> For as many as are of the works of the law are under the curse: for it is written, Cursed is every one that continueth not in all things which are written in the book of the law to do them. (Galatians 3:10)

It was specifically this aspect of the Mosaic Covenant that Jesus fulfilled on our behalf:

For Christ is the end of the law for righteousness to every one that believeth. (Romans 10:4)

In Galatians 3:11, the Apostle Paul wrote, “no man is justified by the law in the sight of God” and in Galatians 5:4, “you [are] severed from Christ, you who are seeking to be justified by law, you have fallen from grace.” Justification (our legal standing before Yahweh) is what provides us our righteousness (our moral standing before Yahweh). Justification, and thereby righteousness, is only attainable through Jesus’ propitiating sacrifice on our behalf.

Having fulfilled the Old Covenant requirement of perfect righteousness – perfect obedience to Yahweh’s laws, which equates with sinlessness – Jesus became our righteousness (1 Corinthians 1:26-31). Consequently, “every one that believeth”[9] is justified by the blood-atoning sacrifice and resurrection of Jesus the Christ and is no longer under the law, but under grace.

That Christians are not under the law has been perverted to mean that Yahweh’s moral laws have been abolished. If this were true, Jesus would have put an end to Yahweh’s righteousness, which would effectively mean an end to Yahweh. What a horrific concept! “His character is revealed in his Law; indeed, it is a transcript of his character.”[10] Because Malachi 3:6 tells us that Yahweh does not change, His morality, or righteousness, has not changed either:

Thy righteousness is an everlasting righteousness, and thy law is the truth. (Psalm 119:142)

Because Yahweh’s law reflects His never-changing morality, His law cannot be abolished or altered. If Yahweh’s law is imperfect, as some modern Christians seem to believe, so is Yahweh’s morality. If Yahweh’s morality is imperfect, so is Yahweh. And if Yahweh, His law, and His morality are all imperfect, then Yahweh is unrighteous. Not so:

…YHWH is upright … and there is no unrighteousness in him. (Psalm 92:15)

Because Yahweh is perpetually righteous and holy, what He formerly deemed sin is still sin under the New Covenant. This does not mean that changes have not occurred between the Mosaic and Christian Covenants. The Mosaic Covenant required perfect obedience to obtain an imperfect justification. When the people fell short, the priests sacrificed sheep and cattle. Not until Jesus’ blood-atoning sacrifice (Galatians 3:22-24, Hebrews 9:13-15) did those living during the Mosaic Covenant obtain perfect justification. The Mosaic Covenant’s Levitical priesthood and its sacrificial system were fulfilled by Jesus and are no longer in effect. Christians are not under the law as were the Mosaic Israelites. Instead, we strive to keep the moral laws of Yahweh out of our love for Him and our fellow man:

Jesus said unto him, Thou shalt love YHWH thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment. And the second is like unto it, Thou shalt love thy neighbour as thyself. On these two commandments hang all the law.... (Matthew 22:37-40)

To fulfill the law is to love Yahweh and our neighbor. An antinomian (a lawless or law-rejecting) Christian is at best an oxymoron. According to Jude, antinomians deny both Yahweh and Jesus by their unscriptural theology:

Beloved, ... I ... write unto you, and exhort you that ye should earnestly contend for the faith which was once delivered unto the saints. For there are certain men crept in unawares, who were before of old ordained to this condemnation, ungodly men, turning the grace of our God into lasciviousness, and denying the only Lord God, and our Lord Jesus Christ. (Jude 1:3-4)

Where the King James translated *asélgeian* as "lasciviousness," the New American Standard Bible translated it as "licentiousness." In his 1828 American Dictionary of the English Language, Noah Webster defined "licentiousness" as "excessive indulgence of liberty; contempt of the just restraints of law...."[11] By their rejection of His law, antinomians turn Yahweh's grace into licentiousness; they are humanists dressed in Christian attire. Without Yahweh's moral compass, every man is a law unto himself.

The antithesis of Yahweh's law is not grace, but lawlessness and, therefore, sin. Yahweh's laws are meant to *keep* us from sinning; grace is the solution *after* we have sinned. Puritan minister Samuel Bolton (1606-1654) wrote, "The law sends us to the gospel for our justification; the gospel sends us to the law to frame our way of life." [12]

Galatians 3

Those who promote the idea that Yahweh's laws are no longer pertinent under the New Covenant often refer to Paul's epistle to the Galatians:

But before faith came, we were kept under the law, shut up unto the faith which should afterwards be revealed. Wherefore the law was our schoolmaster to bring us unto Christ, that we might be justified by faith. But after that faith is come, we are no longer under a schoolmaster. (Galatians 3:23-25)

Antinomians are quick to declare, "See, the law is no longer valid today!" Which law? The Greek word *nomos*, from which the New Testament word "law" is translated, has a variety of New Testament applications:

1. Any law whatsoever.
2. The law of Jesus.
3. The entire Old Testament, including the Psalms, Proverbs, and Prophets.
4. The Pentateuch (the first five books of the Old Testament).
5. The Mosaic Covenant and its sacrificial and ceremonial ordinances.
6. The moral laws of Yahweh, contained in His commandments, statutes, and judgments.

Christians who teach Yahweh's laws are no longer relevant usually choose some combination of 5 and 6. Seldom do they consider the other options because, in most instances, no one has taught them other options exist.

The Correct Choice

We must be careful to determine which law Paul is referring to. Otherwise, it may appear that Paul contradicts himself. For example, in Galatians 3, Paul wrote that because faith had come, Christians are no longer under the schoolmaster (the law). Then, in Romans 3, he declares:

Do we then make void the law through faith? God forbid: yea, we establish the law. (Romans 3:31)

Either Paul was talking about two different laws, or he was not divinely inspired. If we do not correctly identify which law Jesus put an end to in Galatians 3, we place Paul at odds, not only with himself, but also with Jesus:

For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled. Whosoever therefore shall break one of these least commandments, and shall teach men so, he shall be called the least in the kingdom of heaven: but whosoever shall do and teach them, the same shall be called great in the kingdom of heaven. (Matthew 5:18-19)

Either Paul was not referring to the commandments and their respective statutes and judgments in Galatians 3, or heaven and earth have passed away – or neither Jesus and Paul knew what they were talking about. As we will see, Galatians 3 is one of the keys to understanding what was fulfilled and abolished under the New Covenant.

In Galatians 3:16-17, Paul identified the law that was annulled as the law added four hundred and thirty years after the promises were given to Abraham. This means only what was *added* at Mt. Sinai was abolished under the New Covenant. Any law in existence prior to the Mosaic Covenant cannot be the law Jesus repealed.

Prior Existence

Most Christians are unaware that Yahweh's moral laws existed long before their codification (transcription on stone) at Mt. Sinai – although this should be self-evident. Unlike man, Yahweh is not fickle. Because His morality is the same yesterday, today, and forever, His moral laws have not changed one jot or one tittle. The Bible provides pre-Sinai evidence that Yahweh's laws were in existence and, therefore, could not have been added at Mt. Sinai. For example, over 500 years prior to Moses, Abraham kept the commandments, statutes, and judgments later codified by Moses:

…Abraham obeyed my [Yahweh's] voice, and kept my charge, my commandments, my statutes, and my laws. (Genesis 26:5)

The book of Jasher[13] expounds upon Abraham's law observance:

…Abram served the Lord his God all the days of his life, and he walked in His ways and followed His law. (Jasher 12:42)

> …He [Yahweh] said unto me [Abraham], to thy seed I will give all these lands, and they shall inherit them when they keep my commandments, my statutes and my judgments that I have commanded thee [Isaac], and which I shall command them. Now therefore my son, hearken to my voice, and keep the commandments of the Lord thy God … that it may be well with thee and thy children forever. …[T]each then thy children and thy seed the instruction of the Lord and His commandments. (Jasher 26:24-26)

This is very similar to what we find in Genesis 18:

For I know him [Abraham], that he will command his children and his household after him, and they shall keep the way of YHWH, to do justice and judgment [righteousness and justice, NASB]; that YHWH may bring upon Abraham that which he hath spoken of him. (Genesis 18:19)

Righteousness and justice are only found in Yahweh's morality as delineated in His commandments, statutes, and judgments. The structuring of Yahweh's moral law in Jasher 26 into three integral components – commandments, statutes, and judgments – is the same structure Moses later codified in the Pentateuch:

Now these are the commandments, the statutes, and the judgments, which YHWH your God commanded to teach you…. (Deuteronomy 6:1)

No written testimony of Yahweh's laws exists in their entirety before Mt. Sinai, but they existed nonetheless. After all, they reflect Yahweh's never-changing morality. They were verbally imparted from generation to generation, from Adam to Seth to Noah to Shem and to their progeny.

Because of Transgressions

The Apostle John defines sin as a transgression of Yahweh's law:

…whosoever committeth sin transgresseth also the law: for sin is the transgression of the law. (1 John 3:4)

When Paul in Galatians 3:19 declared the law was "added because of transgressions" committed during the pre-Mosaic dispensation, he provided additional proof that Yahweh's moral laws existed before Mt. Sinai. The sins alluded to by Paul in Galatians 3 were transgressions of Yahweh's commandments, statutes, and judgments during the period *between* Adam and Moses. Where there is no law, there can be no transgression. Therefore, Yahweh's moral laws existed *before* the exodus of the Israelites from Egypt and could not have been the laws that were *added* at Mt. Sinai. As a result, the commandments, statutes, and judgments also could not have been the added law fulfilled and abolished by Jesus.

The Added Law

If Yahweh's commandments, statutes, and judgments were not the law to which Paul alluded in Galatians 3, to what law was he referring? Galatians 3:19 refers to two different laws: one law that existed before Mt. Sinai (the commandments, statutes, and judgments) that the Israelites and their Hebrew ancestors transgressed, and another law, the Mosaic Covenant and its sacrificial and ceremonial ordinances, which were added to Yahweh's pre-existing commandments, statutes, and judgments at Mt. Sinai. Hebrews 7:19-22 uses the words "covenant" and "law" interchangeably. Although comprised of other components, a covenant is a law in itself, only more comprehensive in its scope and application. Galatians 3:19 is correctly interpreted in the following fashion:

Wherefore then serveth the law [the Mosaic Covenant]? It was added because of transgressions [of Yahweh's commandments, statutes, and judgments during the Abrahamic Covenant]…. (Galatians 3:19)

Yahweh's commandments, statutes, and judgments were already in existence. They were *not* the law added at Mt. Sinai, and therefore they could not have been abolished under the New Covenant. The Mosaic Covenant, specifically its sacrificial and ceremonial ordinances, was the schoolmaster that is mentioned in Galatians 3:24, which was fulfilled and abolished when Jesus sacrificed Himself in payment for our sins:

The Old Covenant was a contract that was added and attached to YHWH's law. YHWH's law predated the Old Covenant, thus, the Old Covenant does not equate to YHWH's law. The Old Covenant was added and attached to YHWH's law that already existed. The Old Covenant was a package that came and went on its own … without changing or altering YHWH's law. When the Old Covenant came, it was not the start of YHWH's law … and when the Old Covenant ended, it was not the end of YHWH's law.

> …He [Jesus] certainly did not do away with the law. He established a New Covenant (a new attachment) as an advanced and more efficient approach to fulfilling and obeying YHWH's law. [14]

Many contemporary Christians believe a "higher" New Covenant law superseded the Old Covenant law. Although the New Covenant did supersede the Old Covenant (Hebrews 7:22, 8:6-7), it does not supersede the Old Covenant *canon* because Yahweh's moral laws are the same under both Covenants. One covenant replaced the other, but the moral laws of Yahweh remain the same under both covenants.

What Exactly?

What exactly was added to the existing commandments, statutes, and judgments four hundred and thirty years after the promises were given to Abraham? The Mosaic Covenant – including the Levitical priesthood, temple services, obligatory compliance to Yahweh's already existing commandments, statutes, and judgments, and animal and other sacrifices for justification – was added at Mt. Sinai and abolished at the cross. Under the New Covenant, Jesus is our high priest, our temple, our sacrifice, and our justification. He fulfilled everything that was added at Mt. Sinai. His perfect fulfillment of the requirements of the Mosaic Covenant does not mean we are now free to steal, rape, and murder. Nor does it absolve Yahweh's subjects from pursuing His perfect law at every level of society.

Compulsory vs. Voluntary Compliance

The major difference between the Abrahamic and Mosaic Covenants was voluntary versus compulsory compliance. Paul wrote to the Galatian Christians that the law – the Mosaic *Covenant* – was added because of Israel's transgressions. Because the Israelites did not love Yahweh and their fellow man enough to freely comply with the moral laws, which had been in existence from the beginning of time, Yahweh put them under compulsory compliance – "in custody" (Galatians 3:23 NASB) – by way of the Mosaic Covenant and its additional sacrificial and ceremonial ordinances. Under that Covenant, the Israelites were compelled to keep His laws in order to be justified before God. Moses explained it in the following fashion:

…it shall be our righteousness, if we observe to do all these commandments before YHWH our God, as he hath commanded us. (Deuteronomy 6:25)

It was this compulsory compliance for righteousness that Jesus abolished:

…Christ is the end of the law for righteousness to every one that believeth. (Romans 10:4)

Paul did not say that Jesus was the end of the law, period, but rather that He was the end of the law (the Mosaic Covenant) *for righteousness*. Jesus was the end of the Mosaic Covenant, not Yahweh's commandments, statutes, and judgments.

Under the Mosaic Covenant, the Israelites were compelled to keep Yahweh's moral laws, which had been written on stone. Under the Abrahamic and Christian Covenants, those same commandments, statutes, and judgments, written on our hearts and minds, were and are obeyed voluntarily out of love for Yahweh and our fellow man. Jesus' sacrificial death and resurrection did not abolish Yahweh's law but reestablished it as Yahweh initially intended it to have been observed from the beginning. Yahweh's intent has always been for His people to voluntarily keep His law. New Covenant Christians are empowered by Yahweh's indwelling Spirit to do what was impossible under the Mosaic Covenant:

That the righteousness of the law might be fulfilled in us, who walk not after the flesh, but after the Spirit.... Because the carnal mind is enmity against God: for it is not subject to the law of God, neither indeed can be. So then they that are in the flesh cannot please God. But ye are not in the flesh, but in the Spirit, if so be that the Spirit of God dwell in you.... (Romans 8:4-9)

Kenneth Gentry explained:

…in the New Covenant [Yahweh's law] is written directly on the table of the heart to ethically empower men. This, of course, alludes to the pouring out of God's Spirit to indwell his people so that we might better keep God's standards. ...[T]he new covenant does not bring with it a new Law, but rather a new *power* to keep the same Law. SUP>15

Although obedience is voluntary under the New Covenant, anyone who does not strive to obey Yahweh's laws is nevertheless carnal and at enmity with Him. Such a person does not love Him, as demonstrated by his refusal to obey His laws, the transgression of which is sin.

Perfection

These commandments, which, like a collection of diamonds, bear testimony to their own intrinsic worth, in themselves appeal to us as coming from a superhuman or divine source, and no conscientious or reasonable man has yet been able to find a flaw in them. Absolutely flawless, negative in terms, but positive in meaning, they easily stand at the head of our whole moral system, and no nation or people can long continue a happy existence in open violation of them. Moore v. Strickling (1899) [16]

Christians today – persuaded by antinomian pastors that Yahweh's laws are no longer applicable – rarely take the time to study Yahweh's laws and appreciate their perfection:

I have written to him the great things of my law, but they were counted as a strange thing. (Hosea 8:12)

The rewards of meditating upon and observing His laws are too vast to enumerate in this chapter, but consider just the following:

O how love I thy law! It is my meditation all the day. Thou through thy commandments hast made me wiser than mine enemies.... I have more understanding than all my teachers: for thy testimonies are my meditation. I understand more than the ancients, because I keep thy precepts. (Psalm 119:97-100)

Burdensome and Impractical

Antinomian pastors, who often describe Yahweh's law as burdensome and impractical, are obliged to explain why King David and the Apostle Paul delighted in His law.

Teach me, O YHWH, the way of thy statutes; and I shall keep it unto the end. Give me understanding, and I shall keep thy law; yea, I shall observe it with my whole heart. Make me to go in the path of thy commandments; for therein do I delight. (Psalm 119:33-35)

> For I delight in the law of God after the inward man.... So then with the mind I myself serve the law of God.... (Romans 7:22, 25)

Both these men understood the perfection of Yahweh's laws and the rewards gained by those who delight in them. Today's Christians need to decide whom they are going to believe: antinomians who preach that Yahweh's laws are burdensome, or the Apostle John:

By this we know that we love the children of God, when we love God, and keep his commandments. For this is the love of God, that we keep his commandments: and his commandments are not grievous [burdensome, NASB]. (1 John 5:2-3)

If America's federal regulations, not to mention the statutes of each of the fifty states, had been written on stone at the time of Moses, he would have needed hundreds of carts to haul them down Mt. Sinai. As King Solomon wrote in Proverbs 13:15, it is not the law of Yahweh that is difficult, but rather the way of the transgressor.

In John 8:36, Jesus informed us that "if the Son therefore shall make [us] free, [we] shall be free indeed." This freedom begins with salvation in Jesus and is developed and preserved by His perfect law of liberty. It is a sad commentary that the majority of Christians, while giving lip service to Psalm 19:7, do not really believe it. If they did, they would relentlessly pursue Yahweh's perfect law in their personal lives, the lives of their families, their churches, their immediate communities, and their nations.

The Perfect Law of Liberty

…whoso looketh into the perfect law of liberty, and continueth therein, he being not a forgetful hearer, but a doer of the work, this man shall be blessed in his deed. (James 1:25)

The perfect law of liberty referred to by James is the same law of liberty the Psalmist wrote about:

The law of YHWH is perfect, converting the soul.... (Psalm 19:7)

> So shall I keep thy law continually for ever and ever. And I will walk at liberty.... (Psalm 119:44-45)

H.B. Clark points out that "the 'Law of Liberty' ... from the context of the Epistle ... is the commandment to 'love thy neighbor as thyself,'" [17] from which, along with the great commandment (loving Yahweh with all your heart, soul, and mind), hang all of Yahweh's moral law, as codified in His commandments, statutes and judgments (Matthew 22:37-40).

Liberty must not be confused with freedom from our sins. Only Jesus' blood-atoning sacrifice can accomplish the latter. Nevertheless, the implementation of Yahweh's perfect law of liberty would resolve every problem facing America today. It would liberate us from:

- Unchecked crime and immorality
- Infanticide
- Repressive government and crooked politicians

- Corrupt juridical system[18]
- Corrupt justices
- Crooked lawyers
- Rigged juries and ignorant jurors
- Election fraud[19]
- Special interest groups
- Bureaucratic entanglements
- Licenses and permits
- Gun control[20]
- Prisons and their exorbitant costs and myriad problems[21]
- A fraudulent economic and banking system
- The Federal Reserve
- The Internal Revenue Service
- Oppressive taxation[22]
- Eminent domain
- Socialistic welfare system
- Unethical insurance system
- Unlawful immigration
- Multiculturalism, pluralism, and polytheism[23]

All of this and much more would disappear with the implementation of Yahweh's law:

Indeed, Biblical laws deal with topics ranging from criminal and penal law to judicial procedure and the administration of justice, commercial law, torts and injuries, family law, property law, estate planning, martial law, and social welfare, in addition to the laws concerning divine sanctity, cultic sacrifice, and religious taboos that usually comes to mind when people first think of law in the Bible. [24]

Why do today's Christians want to forfeit the perfect, never-changing, infallible laws of Yahweh for the imperfect, ever-changing, fallible laws such as the United States Constitution? For example, Pastor Chuck Baldwin (the Constitution Party's 2008 presidential candidate) made the following appeal for a purer constitutionalism in his July 10, 2007, Internet commentary "Can You Imagine This Country?":

Can you imagine a nation without the I.R.S.? Can you imagine a nation with little crime and where children were free to pray in schools? Can you imagine a nation where the father's income was able to adequately provide for his household? Can you imagine a country with low divorce rates and where virtually everyone with a high school diploma could both read and write and was capable of earning his or her way in society?

> Can you imagine a nation without an A.C.L.U. or a N.E.A.? Can you imagine a country that did not legally murder its own unborn children and that would not pander to sexual deviants or criminals? Can you imagine a country that did not glorify, much less sponsor, gambling? Can you imagine a nation with strong state governments and a limited federal government?
>
> Can you imagine a country where you could order a firearm through a catalog and where there was no such thing as a B.A.T.F.? [25]

Why would we want to return to the document that created this mess – a document Benjamin Franklin predicted "can only end in Despotism"? [26] Other than public schools and state and national governments, everything Baldwin offered is attainable through Yahweh's law *without government intervention*. Because the Constitution does not address such things as infanticide and sodomy, a return to a purer constitutionalism will do nothing to change these and similar abominations. A return to Yahweh's morality, as found in His commandments, statutes, and judgments, will put an end to all of them.

Yahweh's All-Sufficient Law

All scripture is given by inspiration of God, and is profitable for doctrine, for reproof, for correction, for instruction in righteousness: That the man of God may be perfect, thoroughly furnished unto all good works. (2 Timothy 3:16-17)

Many Christians believe the first half of verse 16 but not the second half and especially not verse 17. When Paul wrote "all scripture is given by inspiration of God," very little of the New Testament had yet been written. He was referring to the Old Testament. The inspired laws of Yahweh, in particular, are profitable for doctrine, for reproof, for correction, and for instruction in righteousness so that a man of God or a society of godly men might be perfect and thoroughly furnished unto all good works. Only a perfect God, through a perfect Savior and perfect laws, can produce perfect men. Why would we need or *want* a man-made constitution governing our people – especially one that so often contradicts Yahweh's Constitution?

I know that, whatsoever God doeth, it shall be for ever: nothing can be put to it, nor any thing taken from it: and God doeth it, that men should fear before him. (Ecclesiastes 3:14)

What is all-sufficient for us as individuals is also all-sufficient for us as a group of individuals – a society. This is what is often known as *sola scriptura*, Latin for "by Scripture alone," meaning that the Scriptures provide everything necessary for salvation, faith, and life in general. Yahweh's perfect laws are our means of implementing His kingdom here on earth as it is in heaven. To reject Yahweh's law as inapplicable to any facet of society is equivalent to rejecting not only Yahweh's kingdom but also Yahweh Himself as our Sovereign. "God cannot be robbed of sovereignty at one point without soon being denied sovereignty at all points." [27] To seek Yahweh is to seek His kingdom, and to seek His kingdom is to seek His law:

…should not a people seek unto their God? …To the law and to the testimony: if they speak not according to this word, it is because there is no light in them. (Isaiah 8:19-20)

Because Yahweh's moral laws are perfect, they are as applicable today under the New Covenant as they were under the Old Covenant:

Generally it will be seen that Biblical Law is no less sound and useable today than when it first was written. And one who will carefully examine its rules and attempt to trace their workings will be astonished to find how completely they cover the entire field of civil, domestic, and even social life.[28]

Everything – including the Constitution – must be measured by this standard. Anything to the contrary is imperfect. What the framers *said* at any given time regarding their beliefs, or lack thereof, is irrelevant. Their legacy – the Constitution – speaks for itself. The Constitution must be assessed by the perfect laws of Yahweh. On this standard alone, it stands or falls as a Christian document:

> Every course of life is to be tried by this test and judged by this standard – the Bible alone. Hale v. Everett (1868) [29]

On February 22, 1756, John Adams recorded the following in his diary:

> Suppose a nation in some distant region should take the Bible for their only law book, and every member should regulate his conduct by the precepts there exhibited! Every member would be obliged in conscience, to temperance, frugality, and industry; to justice, kindness, and charity towards his fellow men; and to piety, love, and reverence toward Almighty God…. What a Eutopia [sic], what a Paradise would this region be. [30]

Not only is this true of any government based upon the Bible, but the last sentence is a tacit confession that the Constitution was *not* based upon the Bible. It is incumbent upon anyone claiming to be both a Christian and a Constitutionalist[31] to demonstrate that the Constitution is compatible with Yahweh's law:

> Since all true, legitimate law is based on God's laws, no human laws can be valid if they contradict this higher law…. Any law contrary to God's law is considered void or invalid. [32]

The Constitution maintains harmony with Yahweh's law on a few minor issues. But for every insignificant issue on which the two agree, we find at least a dozen significant issues where they are antithetical to each other. How can Christian Constitutionalists champion *sola scriptura* while also promoting the Constitution? Beginning with Chapter 3, we will examine the Constitution, article by article and amendment by amendment, in light of Yahweh's perfect law, to determine its Biblical legitimacy and demonstrate the supremacy of Yahweh's law.

Click Here to Read Chapter 2

Click to order the *Bible Law vs. The United States Constitution* CDs:

- •The e-book (on CD) A Christian Perspective on the U.S. Constitution
- •The audio CD The Bible vs. The U.S. Constitution (Pts. 1 & 2)

End Notes

1. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. the United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

2. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. the United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

3. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

4. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution Ministries, PO Box 248, Scottsbluff, Nebraska 69363, for free.

5. "antinomian ... a person who maintains that Christians are freed from the moral law by virtue of grace and faith." *Random House Webster's College Dictionary*, s.v. "antinomian" (New York, NY: Random House, 2000) p. 59.

6. Even many alleged pronomians are, at best, only two-thirds pronomian. They are interested in restoring Yahweh's commandments and statutes, but not His judgments. See Chapter 17"Amendment 8: Bail, Fines, and Cruel and Unusual Punishments?" for additional information regarding Christian fear of Yahweh's judgments.

7. Not only do most "New Testament Christians" reject the law component of the New Covenant, they also either ignore or dismiss the importance of with *whom* Yahweh declared He would make His New Covenant. For a more thorough explanation regarding the *who* of the New Covenant, *The Mystery of the Gentiles: Who Are They and Where Are They Now?* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution Ministries, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $10 donation.*

8. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to the Apostle Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. the United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

9. Biblical faith entails more than simply belief. Belief alone does not justify us. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied in order to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, *Baptism: All You Wanted to Know and More* may be requested

from Bible Law vs. The United States Constitution Ministries, PO Box 248, Scottsbluff, Nebraska 69363, for free.

10. Kenneth L. Gentry, Jr., *God's Law Made Easy: You Can Understand the Case for God's Law Today* (Draper, VA: Aplogetics Group Media, 2010) p. 13.

11. Noah Webster, *American Dictionary of the English Language*, s.v. "licentiousness" (1828; reprint ed. San Francisco, CA: The Foundation for American Christian Education, 1967).

12. Samuel Bolton, *The Moral Law: A Rule of Obedience*, http://www.the-highway.com/articleFeb00.html.

13. Although Jasher is not a part of canonized Scripture, it is cited in Joshua 10:13 and 2 Samuel 1:18 and referenced in 2 Timothy 3:8.

14. "Romans 13 (Part 2)," *The Voice of the Promised*, April 2010, Special Edition, p. 1.

15. Gentry, pp. 11, 78.

16. *Moore v. Strickling* (1899) 46 W.Va. 515, 33 SE 274, 50 LRA 279, 282.

17. H.B. Clark, *Clark's Biblical Law*, Second Edition (Portland, OR: Binfords & Mort, 1943) p. 12.

18. See Chapter 6 "Article 3: Judicial Usurpation" for information regarding the Constitution's non-Biblical juridical system.

19. See Chapter 5 "Article 2: Executive Usurpation" for information regarding the Constitution's non-Biblical electoral system.

20. See Chapter 12 "Amendment 2: Constitutional vs. Biblical Self-Defense" for information regarding our Biblical responsibility to protect ourselves and others.

21. See Chapter 22 "Amendment 13: Constitutional vs. Biblical Slavery" for information regarding today's non-Biblical prison system.

22. See Chapter 25 "Amendment 16: Graduated Income Tax vs. Flat Increase Tax" for information regarding the unbiblical nature of the Constitutional Republic's tax system.

23. See Chapter 11 "Amendment 1: Government-Sanctioned Polytheism" for information regarding the constitutional provision for multiculturalism, pluralism, and polytheism.

24. John W. Welch, "Biblical Law in America: Historical Perspectives and Potentials for Reform," *Brigham Young University Law Review* 30 September 2002, p. 613, http://www.contra-mundum.org/essays/theonomy/WEL1.pdf.

25. Chuck Baldwin, "Can You Imagine This Country?" Chuck-Wagon Email Commentary, 10 July 2007, http://www.chuckbaldwinlive.com.

26. Benjamin Franklin, Ormond Seavey, ed., "Speech in the Constitutional Convention at the Conclusion of it Deliberations," *Autobiography and Other Writings* (Oxford: Oxford University Press, 1998) p. 350.

27. Rousas John Rushdoony, *Sovereignty* (Vallecito, CA: Ross House Books, 2007) p. v.

28. Clark, p. vii.

29. *Hale v. Everett* (1868) 53 NH 9, 16 AR 82, 191.

30. John Adams, Charles Francis Adams, ed., *The Works of John Adams – Second President of the United States*, 10 vols. (Boston, MA: Little, Brown & Co., 1854) vol. 9, p. 229.

31. I am employing the term “Constitutionalists” in reference both to those who are formal members of the Constitution Party and to anyone else who believes in and endorses the Constitution.

32. Mark A. Beliles and Douglas S. Anderson, *Contending for the Constitution: Recalling the Christian Influence on the Writing of the Constitution and the Biblical Basis of American Law and Liberty* (Charlottesville, VA: Providence Foundation, 2005) p. 99.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although there is a suggested price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 2
The Kingdom: Yesterday, Today, and Forever

Thy kingdom come. Thy will be done in earth, as it is in heaven.... But seek ye first the kingdom of God, and his righteousness; and all these things shall be added unto you. (Matthew 6:10, 33)[1]

Fulfilling these verses was a prime objective of the 17th-century American Puritans:

Their exodus [from England] was that of a chosen people who were at length to lay the everlasting foundations of God's kingdom here upon earth.... This steadfast faith in an unseen ruler and guide was to them a pillar of cloud by day and of fire by night. It was of great moral value. It gave them clearness of purpose and concentration of strength, and contributed towards making them, like the children of Israel, a people of indestructible vitality and aggressive energy.[2]

The purpose of this book is not merely to prove the non-Biblical nature of the United States Constitution but, in so doing, to help restore Yahweh's[3] kingdom and government *here on earth*. Before examining the Constitution by Yahweh's moral laws, we need to scripturally demonstrate that Yahweh's kingdom exists both in heaven and here on earth, and that Yahweh intends His kingdom to fill the entire earth, with His people ruling now and forever.

Yahweh's Eternal Kingdom

Yahweh's kingdom is eternal: it exists yesterday, today, and forever. His kingdom is definitive: it has always been and always will be in existence (Psalm 145:13). It is progressive: Yahweh intends it to fill the entire earth (Isaiah 9:6-7, Daniel 2:35, Zechariah 9:9-10, Matthew 13:31-33). It is final: it will be established fully at some point in the future (Revelation 21:1-2).

Because Yahweh is the creator of the universe, He is sovereign over the universe, time without end:

…his kingdom is an everlasting kingdom, and his dominion is from generation to generation. ...[T]he most High ruleth in the kingdom of men, and giveth it to whomsoever he will.... (Daniel 4:3, 17)

Now unto the King eternal, immortal, invisible, the only wise God, be honour and glory for ever and ever. Amen. (1 Timothy 1:17)

Yahweh never abdicated His throne. He is as much King now as He was at creation. As perpetual King, the kingdom He rules over is also perpetual.

Thy kingdom is an everlasting kingdom, and thy dominion endureth throughout all generations. (Psalm 145:13)

To the only wise God our Saviour, be glory and majesty, dominion and power, both now and ever. Amen. (Jude 1:25)

Many Christians[4] reject these inescapable facts of Yahweh's sovereignty, believing He has no present kingdom or that His kingdom is limited to heaven. They lift their favorite proof text from John 18:

> Jesus answered, My kingdom is not of this world: if my kingdom were of this world, then would my servants fight, that I should not be delivered to the Jews: but now is my kingdom not from hence. (John 18:36)

The same Greek phrase *ek toú kósmou* (translated "not of this world" in John 18:36) is used several times and is explained in the preceding chapter:

> I have given them thy word; and the world hath hated them, because they are not of the world, even as I am not of the world. I pray not that thou shouldest take them out of the world, but that thou shouldest keep them from the evil. They are not of the world, even as I am not of the world.... As thou hast sent me into the world, even so have I also sent them into the world. (John 17:14-18)

Clearly *ek toú kósmou* does not mean Yahweh's kingdom exists only in heaven. Although it is certainly true that His kingdom is not of this world, this does not mean that He does not intend for it to be *in* this world. John 18 is better understood to mean that Yahweh's kingdom is nothing like the other kingdoms in this world. As someone once said, "The only kingdom that will prevail in this world is the kingdom that is not of this world." Martin Luther correctly taught John 18:36:

> …Christ came in order to begin the kingdom of God and to establish it in the world. This is why he said before Pilate: "My kingdom is not of this world, but whoever belongs to the truth hears my voice," and why throughout the Gospel he announces the kingdom of God, saying: "Repent, for the kingdom of God is at hand;" and again: "Seek first the kingdom of God and its righteousness." And indeed he calls the Gospel a gospel of the kingdom of God, in that it teaches, governs and preserves the kingdom of God.[5]

The teaching that Yahweh's kingdom does not exist on earth or that Yahweh has abandoned the earth to His enemies is not new to this age:

> …Son of man, hast thou seen what the ancients of the house of Israel do in the dark, every man in the chambers of his imagery? For they say, YHWH[6] seest us not; YHWH hath forsaken the earth. (Ezekiel 8:12)

Christians who reject Yahweh's extant kingdom here on earth are looking for a future king and a future kingdom. This erroneous theology has all but destroyed Yahweh's kingdom, at least in practice, here on earth. It is certainly one of the principal reasons why the antichrists and non-Christians rule today. This anti-kingdom theology has also been one of the prime contributors to today's fulfillment of Jesus'[7] warning in Matthew 5:

> Ye are the salt of the earth: but if the salt have lost his savour, wherewith shall it be salted? It is thenceforth good for nothing, but to be cast out, and to be trodden under foot of men. (Matthew 5:13)

This is a fulfillment of Yahweh's curse in Deuteronomy 28:

> But it shall come to pass, if thou wilt not hearken unto the voice of YHWH thy God, to observe to do all his commandments and his statutes which I command thee this day; that all these

curses shall come upon thee.… The stranger that is within thee shall get up above thee very high; and thou shalt come down very low.… Therefore shalt thou serve thine enemies which YHWH shall send against thee.… (Deuteronomy 28:15, 43-48)

You cannot get any lower than beneath the feet of those who rule over you. Rejecting Yahweh, His kingdom, and His laws has always been prime cause of His people's calamities. By rejecting Yahweh's laws, Christians abdicate dominion and relinquish Yahweh's earthly kingdom to His enemies:

And from the days of John the Baptist until now the kingdom of heaven suffereth violence, and the violent take it by force. (Matthew 11:12)

Then spake Jesus to the multitude, and to his disciples, Saying, The scribes and the Pharisees sit in Moses' seat.… But woe unto you, scribes and Pharisees, hypocrites! For ye shut up the kingdom of heaven against men: for ye neither go in yourselves, neither suffer ye them that are entering to go in. (Matthew 23:1-13)

Neither of these passages are referring to the kingdom *in* heaven. Instead, they refer to the kingdom *of* heaven here on earth. The only difference between what was occurring in Jesus' day and what is occurring in modern times is that Yahweh's enemies have not needed to take the kingdom by force. Because Christianity is glutted with doctrines proclaiming that Yahweh's laws are irrelevant under the New Covenant, that Christians are obligated to keep all of man's laws,[8] and that the kingdom is yet to come or that it is found exclusively in heaven, the kingdom has been handed over to Yahweh's enemies without a struggle. Most pastors have colluded with the Internal Revenue Service in exchange for their 501(c)(3) tax-exempt status, turning over the jurisdiction and ultimate control of even their churches and ministries to the government.[9]

When Yahweh's subjects are diligent to observe His law, Yahweh promises His people dominion rather than servitude:

And it shall come to pass, if thou shalt hearken diligently unto the voice of YHWH thy God, to observe and to do all his commandments which I command thee this day, that YHWH thy God will set thee on high above all nations of the earth. (Deuteronomy 28:1)

And hast made us unto our God kings and priests: and we shall reign on the earth. (Revelation 5:10)

Yahweh's Kingdom Relationship with Israel

Although it is true that the Old Testament contains many prophecies regarding a future Messianic kingdom, this in no way detracts from the fact that Yahweh was, is, and always will be King. The prophecies in question concern Yahweh's special New Covenant kingdom relationship with a remnant of Israel. This kingdom relationship is indicative of His marital relationship with Israelites, which originally existed between Him and the entire nation of Israel:

And YHWH said unto … Israel … I am married unto you.… (Jeremiah 3:11-14)

Exodus records Yahweh's marriage proposal to all twelve tribes of the nation of Israel:

Now therefore, if ye will obey my voice indeed, and keep my covenant, then ye shall be a peculiar treasure unto me above all people.... And ye shall be unto me a kingdom of priests, and an holy nation.... (Exodus 19:5-6)

This is the Bible's first reference to Yahweh's kingdom. Yahweh established a kingdom relationship with the nation of Israel when He married her at Mt. Sinai. Ezekiel 16 provides a second witness to the affinity between His marriage to Israel and His kingdom:

Now when I passed by thee, and looked upon thee, behold, thy time was the time of love; and I spread my skirt over thee, and covered thy nakedness: yea, I sware unto thee, and entered into a covenant with thee, saith the Lord YHWH, and thou becamest mine ... and thou didst prosper into a kingdom. (Ezekiel 16:8-13)

King David commented upon this kingdom relationship:

…God ruleth in Jacob unto the ends of the earth. (Psalm 59:13)

While wrestling with an angel, Jacob was given the name "Israel." This name means "power" or "ruling with El" (Genesis 32:28). El, translated "God," is the abbreviated form of the Hebrew *Elohiym*. Yahweh Elohiym married the nation of Israel, making her His helpmeet. As both His wife and His queen, she *ruled with El* over His kingdom and was thus named *Isra El* – "ruling with God." Later, because the ten-tribed house of Israel worshiped other gods, an act Yahweh identified as adultery, He divorced and put her away:

And I saw, when for all the causes whereby backsliding Israel committed adultery I had put her away, and given her a bill of divorce.... (Jeremiah 3:8)

Yahweh declared to Hosea that, as a result of the House of Israel's whoredom, He divorced her and she would no longer be His people (His wife). He stripped that house of her name (His name) and, as a result, her kingdom relationship with Him ceased to exist:

And YHWH said unto him, ... I will ... cause to cease the kingdom of the house of Israel.... Then said God ... ye are not my people, and I will not be your God. (Hosea 1:4-9)

Yahweh's eventual divorce of the remaining two-tribed house of Judah in 70 A.D. was prophesied in 2 Kings 23:

And YHWH said, I will remove Judah also out of my sight, as I have removed Israel, and will cast off this city Jerusalem which I have chosen, and the house of which I said, My name shall be there. (2 Kings 23:27)

Just as in Hosea 1, the removal of the kingdom was equivalent to house of Judah's divorce:

Therefore say I unto you [religious leaders representing the house of Judah], The kingdom of God shall be taken from you, and given to a nation bringing forth the fruits thereof. (Matthew 21:43)

In 1 Peter 1:1-2, the Apostle Peter identified the nation (1 Peter 2:9-10) to whom the kingdom was given as the elect (a remnant) of the Israelites – those sanctified by the blood of Jesus – with whom, according to Hebrew 8:8, the New Covenant was made:

Peter, an apostle of Jesus Christ, to the strangers scattered throughout Pontus, Galatia, Cappadocia, Asia, and Bithynia, elect according to the foreknowledge of God the Father, through sanctification of the Spirit, unto obedience and sprinkling of the blood of Jesus Christ…. (1 Peter 1:1-2)

The English word “scattered” is translated from the Greek word *diaspora*:

…dispersion, i.e. (spec.[ially] and conc.[retely]) the converted Isr[aelite]. resident in Gentile countries.[10]

Diaspora is the Greek word used in James 1:1 in the phrase “to the twelve tribes which are scattered abroad,” and by the translators of the Septuagint Old Testament in Deuteronomy 28:25, 30:4; Nehemiah 1:8; and Psalm 147:2, in describing the dispersion of the Old Testament Israelites. The Greek word *parepideémois*, translated “strangers” in 1 Peter 1:1, conveys a similar thought:

…one who comes from a foreign country into a city or land to reside there by the side of the natives; hence stranger; sojourning in a strange place, a foreigner….[11]

Peter wrote his first epistle to Israelites living as foreigners in Pontus, Galatia, Cappadocia, Asia, and Bithynia – the precise locations to which the house of Israel had been dispersed after Yahweh divorced them. Peter wrote the following to these Christian Israelites:

But ye are a chosen generation, a royal priesthood, an holy nation, a peculiar people…. Which in time past were not a people, but are now the people of God: which had not obtained mercy, but now have obtained mercy. (1 Peter 2:9-10)

The first phrase of verse 9 is a quotation from Exodus 19:5-6, in which Yahweh first proposed marriage to the entire nation of Israel. The last two phrases of verse 10 are quotations from Hosea 1:9 and 2:23, in which He promised to remarry the house of Israel and ultimately restore His kingdom relationship with a remnant of Israelites from both the house of Israel and the house of Judah under the New Covenant. It is this remnant that forms the nation prophesied by Jesus in Matthew 21:43 and to whom the kingdom was given.[12]

The prophets foretold this special New Covenant kingdom relationship between Yahweh and Israel:

I saw in the night visions, and, behold, one like the Son of man came with the clouds of heaven, and came to the Ancient of days…. And there was given him dominion, and glory, and a kingdom, that all people, nations, and languages, should serve him: his dominion is an everlasting dominion, which shall not pass away, and his kingdom that which shall not be destroyed…. But the saints of the most High shall take the kingdom, and possess the kingdom for ever, even for ever and ever…. Until the Ancient of days came, and judgment was given to the saints of the most High; and the time came that the saints possessed the kingdom…. And the kingdom and dominion, and the greatness of the kingdom under the whole heaven, shall be given to the people of the saints of the most High, whose kingdom is an everlasting kingdom, and all dominions shall serve and obey him. (Daniel 7:13-27)

In Psalm 148, the saints of the Most High are identified as Israelites:

He also exalteth the horn of his people, the praise of all his saints; even of the children of Israel, a people near unto him. Praise ye YHWH. (Psalm 148:14)

The Apostles also understood the saints in Daniel 7 to be Israelites. In anticipation of the fulfillment of numerous Old Testament prophesies concerning the restoration of the kingdom to Israel, they questioned Jesus about the specific timing of the restoration – which they knew from the Prophet Daniel was to occur sometime during the days of the Roman Empire (Daniel 2:36-44, 7:13-27):

Then they therefore were come together, they asked of him, saying, Lord, wilt thou at this time restore again the kingdom to Israel? (Acts 1:6)

Because many people have misidentified today's Jews[13] as Israelites, and because the Jews have rejected Jesus and His kingdom, much of Christianity has come to the erroneous conclusion that this restored kingdom relationship with Israel has yet to occur. However, the New Testament declares that this kingdom relationship has existed since the second chapter of Acts (2:38-41) when the first Judahite Israelites, in faith and repentance, were baptized into Christ. Before this event in the book of Acts, John the Baptist, Jesus, and the Apostles all preached that the kingdom of God was at hand:

In those days came John the Baptist, preaching in the wilderness of Judaea, and saying, Repent ye: for the kingdom of heaven[14] is at hand. (Matthew 3:1-2)

From that time Jesus began to preach, and to say, Repent: for the kingdom of heaven is at hand. (Matthew 4:17)

These twelve Jesus sent forth, and commanded them, saying, ...But go rather to the lost sheep of the house of Israel. And as ye go, preach, saying, The kingdom of heaven is at hand. (Matthew 10:5-7)

…if I cast out devils by the Spirit of God, then the kingdom of God is come unto you. (Matthew 12:28)

Either the kingdom was literally at hand when Jesus made this last statement, or He was casting out demons by Beelzebub, just as the Pharisees accused Him. In Mark 1:15, the kingdom is described as being at hand because its preparation time was fulfilled:

Now after that John was put in prison, Jesus came into Galilee, preaching the gospel of the kingdom of God, and saying, The time is fulfilled, and the kingdom of God is at hand: repent ye, and believe the gospel. (Mark 1:14-15)

Perhaps the most potent proof that the kingdom has already been established is that the Apostles were told that some of them would live to see the kingdom restored:

And he [Jesus] said unto them [His disciples], Verily I say unto you, That there be some of them that stand here, which shall not taste of death, till they have seen the kingdom of God come with power. (Mark 9:1)

In Acts 1, the Apostles anticipated the restored kingdom in their lifetime, and, in Acts 2, it was indeed restored with power on the day of Pentecost when 3,000 Judahite Israelites were, in faith and repentance, baptized into Christ. The renowned 18th-century commentator Matthew Henry agreed:

…the kingdom of Christ began … immediately after his ascension, and will continue in the doing till the mystery of God be finished.[15]

Following the events in Acts 2, the 1st-century Christians proclaimed Jesus to be a reigning King and themselves to be citizens of His kingdom – not sometime in the future or merely in heaven, but right then and there:

But the Jews which believed not … set all the city on an uproar, and assaulted the house of Jason … crying, These that have turned the world upside down are come hither also; whom Jason hath received: and these all do contrary to the decrees of Caesar, saying that there is another king, one Jesus. (Acts 17:5-7)

Giving thanks unto the Father, which hath made us meet to be partakers of the inheritance of the saints in light: Who hath delivered us from the power of darkness, and hath translated us into the kingdom of his dear Son. In whom we have redemption through his blood, even the forgiveness of sins…. (Colossians 1:12-14)

As ye know how we exhorted and comforted and charged every one of you, as a father doth his children, that ye would walk worthy of God, who hath called you unto his kingdom and glory. (1 Thessalonians 2:11-12)

I John, who also am your brother, and companion [fellow partaker, NASB] in tribulation, and in the kingdom…. (Revelation 1:9)

Redemption through Jesus' blood results in deliverance from the power of darkness. Because we are delivered from the power of darkness *into the kingdom*, the Colossians passage demands that if the kingdom is not in existence now, then redemption and forgiveness of sins are not yet valid and Jesus died for nothing. If the kingdom is yet future, no one has been delivered from the power of darkness and no one has partaken of the inheritance of the saints. In short, no one has yet become a Christian.

In Acts 17:7, the disciples were described as *already* serving Jesus as their King on earth. The very fact that Rome persecuted, imprisoned, and murdered Christians demonstrates the Romans understood that the kingdom the Christians preached and lived was an extant rival kingdom. Had Christianity been merely a religion, Rome would not have concerned itself with Christianity anymore than it did with the other religions in its realm. Christendom's King, His kingdom, and His laws posed a threat to the Roman Empire, just as Daniel prophesied.

And in the days of these kings shall the God of heaven set up a kingdom, which shall never be destroyed: and the kingdom shall not be left to other people, but it shall break in pieces and consume all these kingdoms, and it shall stand for ever. (Daniel 2:44)

The kingdom is currently under the rule of non-Christians, not because it has yet to be established, but because Christians have bought into the lie that the kingdom doesn't exist on earth at this time. They have consequently abdicated leadership of society. The church has become governmentally and culturally impotent because Christians have been convinced that everything outside the four walls of their church buildings is off-limits.

Pursuing Yahweh's Kingdom

The kingdom was the focus of Jesus' earthly ministry and is the central issue of the entire Bible. The phrases "the Father's kingdom," "the kingdom of God," "the kingdom of heaven," "the heavenly kingdom," "the kingdom of Christ," "the gospel of the kingdom," and the word "kingdom" appear 146 times in the New Testament alone.

Because the kingdom of God is in existence today, our principal objective as ambassadors of the King of kings (2 Corinthians 5:20), should be to please our King and advance His kingdom. We should be pursuing His kingdom – taking dominion and implementing His moral laws – everywhere we possibly can, including our civil governments and courts of law:

But seek ye first the kingdom of God, and his righteousness [found in His moral laws, Isaiah 51:7-8]…. (Matthew 6:33)

Where should we seek His kingdom?

…Our Father which art in heaven, Hallowed be thy name. Thy kingdom come. Thy will be done in earth, as it is in heaven. (Matthew 6:9-10)

All the petitions in the Lord's Prayer refer to earthly *present* benefits. Some of the aspects of the kingdom are that God provides our "daily bread," that He "forgives our debts," and that He "delivers us from temptation." …It is a kingdom prayer, and we are in the kingdom![16]

Christians understood this in 1643 when the colonies of New Plymouth, Massachusetts, and New Haven, Connecticut, formed the New England Confederation with the goal of advancing the kingdom of Christ here in America:

…we all came into these parts of America with one and the same end and aim, namely to advance the kingdom of our Lord Jesus Christ.[17]

Christians who acknowledge the present reality of Yahweh's kingdom here on earth seldom see its relevance beyond the four walls of their homes or church buildings. "We have secularized everything not illuminated by stained glass windows."[18] This limited vision is usually the consequence of antinomianism. However, Yahweh's will is that His kingdom, operating by His moral laws, be established here on earth *as it is in heaven*. There is nowhere in heaven Yahweh does not reign, nowhere His kingdom cannot be found, and nowhere His laws are not intact. This is His will for earth as well, but He has left the task of fully establishing His kingdom on earth to His subjects:

Ye are blessed of YHWH which made heaven and earth. The heaven, even the heavens, are YHWH's: but the earth hath he given to the children of men. (Psalm 115:15-16)

Although it is true that the earth was made for all of mankind to inhabit, no Christian would maintain that Yahweh intends non-Christians to reign over His children, *except as judgment*. The dominion mandate was given to Adam and his descendants, particularly Christians under the New Covenant:

For though we walk in the flesh, we do not war after the flesh: (For the weapons of our warfare are not carnal, but mighty through God to pulling down of strong holds;) casting down imaginations, and every high thing that exalteth itself against the knowledge of God, and bringing into captivity every thought to the obedience of Christ; and having in readiness to revenge all disobedience…. (2 Corinthians 10:3-6)

Yahweh intends His subjects to inherit the earth:

> The righteous shall inherit the land, and dwell therein for ever…. Wait on YHWH, and keep his way, and he shall exalt thee to inherit the land: when the wicked are cut off, thou shalt see it. (Psalm 37:29-34)

> Blessed are the meek: for they shall inherit the earth. (Matthew 5:5)

These promises are conditional. If we expect Yahweh to fulfill His promises, we must return to Him and His laws. Inherent in the dominion mandate is Yahweh's expectation for His people to maintain, protect, and increase their holdings in furtherance of His kingdom. That Yahweh expects this of His kingdom ambassadors is evident because His stone kingdom is depicted as becoming a great mountain (Daniel 2:35), a mustard seed that is to grow into a great tree (Matthew 13:31), and leaven that leavens the entire world (Matthew 13:33). Pretribulation dispensationalist Dave Hunt believes this is not only impossible for Christians to accomplish, but that it is even impossible for Yahweh:

> In fact, dominion – taking dominion and setting up the kingdom for Christ – is an impossibility, even for God. The millennial reign of Christ, far from being the kingdom, is actually the final proof of the incorrigible nature of the human heart, because Christ Himself can't do what these people [dominionists] say they are going to do….[19]

No wonder Christianity has lost control of the kingdom. Modern Christians have squandered the kingdom and handed it over to Yahweh's enemies. This abdication occurred for two principle reasons: 1) Christians' belief that Yahweh's law has been abolished under the New Covenant, and 2) their teachings that the kingdom will manifest itself only in the future or exclusively in heaven. Non-Christians and antichrists have been delighted to fill the void with their gods' laws and governments.

If This Is the Kingdom. . .

Some people respond to the idea of a present kingdom by declaring that if this is Yahweh's kingdom, who wants it? The culpability for the deplorable state of the kingdom belongs, not to God, but to Christians who are so heavenly minded that they are of no earthly good. Christianity is full of savorless salt that is good for nothing but to be trampled under the foot of man. Christians today are the "trampled" rather than the "tramplers." What used to be known as Christendom (short for Christ's or Christian dominion) is now simply Christianity, or worse Judeo-Christianity.[20] That Yahweh expects His people to be the tramplers is evident not only in Matthew 5, but also in Revelation 5:

> …Thou … hast redeemed us to God by thy blood out of every kindred, and tongue, and people, and nation; and hast made us unto our God kings and priests: and we shall reign on the earth. (Revelation 5:9-10)

Paul wrote to the Corinthian Christians that "I would to God ye did reign…." (1 Corinthians 4:8). To reign means to rule and to rule means to establish the law of the land:

> For YHWH will have mercy on Jacob, and will yet choose Israel … and they shall rule over their oppressors. (Isaiah 14:1-2)

"Government" has become a dirty word to most Christians. But this thinking is an aberration from the beliefs of the Christians who first came to America from Europe. They looked upon government as an ordinance of God for the purpose of advancing His kingdom and furthering Christianity:

Whereas the glory of Almighty God and the good of mankind is the reason and end of government and, therefore, government in itself is a venerable ordinance of God. And forasmuch as it is principally desired and intended by the Proprietary and Governor and the freemen of the province of Pennsylvania and the territories thereunto belonging to make and establish such laws as shall best preserve true Christian civil liberty in opposition to all unchristian, licentious, and unjust practices....

Charter to William Penn, 1682[21]

Many Christians are peering into heaven and wondering when Yahweh is going to clean up this mess. Could it be Yahweh is looking down upon us and wondering when *we* are going to clean it up? Yahweh is not responsible for our making a mess of things. He has given us the tools with which to right society, if we would only believe in Him and implement His perfect laws. Every generation of Christians that rejects Yahweh's plan for the kingdom is another generation destined to live under the heel of non-Christian dominion.

Restoration of the kingdom will not happen overnight. The few people today who understand the kingdom of Yahweh are beginning to prepare the ground for a future generation. This preparation begins with convincing modern-day Christians that they are supposed to be ruling instead of serving the non-Christians and antichrists. Eventually, Christendom will be able to prosper as the kingdom Yahweh intends us to be.

Our National Exodus

When Christians finally realize that Yahweh's kingdom plan is meant to take place here and now, they will also understand that all other kingdoms or governments, including America's Constitutional Republic, are rival kingdoms.

Constitutionalists are constantly calling for a return to the Constitution as the solution to our national problems. What they do not realize is that the Constitution was the catalyst for our national exodus from Yahweh's perfect laws and, consequently, Yahweh's kingdom here in America. The Constitution is not the solution, but instead the origin and the prime cause of our national problems. Any return to it will, at best, provide only a temporary fix to some of the issues we face. Ultimately, it will only postpone the inevitable downfall of today's Constitutional Republic (Matthew 7:26-27), and today's problems will be transferred to a future generation of Christians.

The Constitution represents the lust of our hearts:

I am YHWH thy God.... But my people would not hearken to my voice.... So I gave them up unto their own hearts' lust: and they walked in their own counsels. (Psalm 81:10-12)

1 Samuel is a classic example of what is described in Psalm 81:

Then all the elders of Israel gathered themselves together, and came to Samuel unto Ramah, and said unto him ... make us a king to judge us like all the nations. But the thing displeased Samuel, when they said, Give us a king to judge us.... And YHWH said unto Samuel, Hearken unto the voice of the people in all that they say unto thee: for they have not rejected thee, but they have rejected me, that I should not reign over them. (1 Samuel 8:4-7)

Yahweh gave the Israelites the desire of their hearts, even when their desires were wicked:

…ye said unto me, Nay; but a king shall reign over us: when YHWH your God was your king. …[Y]our wickedness is great, which ye have done in the sight of YHWH, in asking you a king. (1 Samuel 12:12, 17)

If our desire – personally and collectively – is to serve Yahweh as King, He will make it possible for us to do so. He will give us the desires of our heart and reward us accordingly. But if our desire is to serve some false god or another king and his laws, Yahweh will make that possible as well, and He will reward us accordingly:

And I gave them my statutes, and shewed them my judgments, which if a man do, he shall even live in them…. But the house of Israel rebelled against me in the wilderness: they walked not in my statutes, and they despised my judgments … then I said, I would pour out my fury upon them…. Because they had not executed my judgments, but had despised my statutes, and had polluted my sabbaths, and their eyes were after their fathers' idols. Wherefore I gave them also statutes that were not good, and judgments whereby they should not live. (Ezekiel 20:11-25)

The Same Old Sin

What occurred in 1 Samuel 8 was not a one-time event. The Prophet Hosea describes the same rejection in his day. The first chapter delineates the divorce of the house of Israel and prophesies her New Covenant restoration with Yahweh and with the house of Judah. Most of the remainder of the book expounds upon Yahweh's reasons for divorcing Israel and removing her from her kingdom-relationship with Him:

My people are destroyed for lack of knowledge: because thou hast rejected knowledge, I will also reject thee … seeing thou hast forgotten the law of thy God, I will also forget thy children. (Hosea 4:6)

Ephraim [the principal tribe of the house of Israel] is oppressed and broken in judgment, because he willingly walked after the commandment [of men]. (Hosea 5:11)

…He [Yahweh] shall come as an eagle against the house of YHWH, because they have transgressed my covenant, and trespassed against my law…. I have written to him the great things of my law, but they were counted as a strange thing. (Hosea 8:1, 12)

When Isra El – she who rules with El – rejected Yahweh for other kings, she not only rejected Him as her King, but also as her God and Husband. She became a whore in her Husband's sight:

Thou hast also … madest to thyself images of men, and didst commit whoredom with them…. How weak is thine heart, saith the Lord YHWH, seeing thou doest all these things, the work of an imperious whorish woman … and hast not been as an harlot, in that thou scornest hire; but as a wife that committeth adultery, which taketh strangers instead of her husband! (Ezekiel 16:17, 30-32)

When Israel demanded another king in 1 Samuel 8, she was in effect demanding another husband. She committed whoredom then and every time since when she repeated her sin. The same thing occurred in 1787 when the constitutional framers made an image of man (WE THE PEOPLE) and committed whoredom with it. That this was a modern manifestation of 1

Samuel 8 is evidenced in that the consequences enumerated by Samuel are essentially the same today as they were then.

Americans resurrect and reenact this sin every four years when Christians and non-Christians alike elect another replacement for the King of kings. It was whoredom then and it is whoredom today. Christians need to stop sugarcoating our American forefathers' sin. The ratification of the Constitution was idolatry, spiritual whoredom against Yahweh our God, and sedition against His kingdom. It is no different for today's Constitutionalists.

Dominion for Our Posterity

My ultimate objective in this book is to awaken today's Christians to the perfection of Yahweh, His kingdom, and His laws, in order to prepare tomorrow's Christians to take dominion of Yahweh's kingdom. If I cannot change the eschatology of those Christians who believe Yahweh's kingdom has yet to appear – and have therefore trapped themselves in cultural paralysis – then let me at least appeal to your common sense. In the time between now and forever, would you not rather live by Yahweh's perfect laws of liberty than by man's laws of bondage?

When the righteous are in authority, the people rejoice: but when the wicked beareth rule, the people mourn. (Proverbs 29:2)

Although many Christians may not be politically active, they are nonetheless always hoping, praying, and voting for those they trust will improve their standard of living. However, a higher standard of living will never be achieved through man's laws. Neither can man's law deliver us from the oppression of ever-encroaching government. I am asking that we set aside our eschatological differences (Yahweh will take care of the eschatological future) and work together for liberty and justice through the only means possible – Yahweh's kingdom and His laws – so that, at the very least, we can help make His kingdom on earth a reality for our posterity.

All thy works shall praise thee, O YHWH; and thy saints shall bless thee. They shall speak of the glory of thy kingdom, and talk of thy power; to make known to the sons of men his mighty acts, and the glorious majesty of his kingdom. (Psalm 145:10-12)

Pursuing Yahweh's kingdom begins by speaking of its glory and power to the sons of men. This is the very least we can do as Yahweh's ambassadors, and it is something we can *all* do. Constitutionalism needs to be exposed as idolatrous apostasy. Anyone defending and promoting any "laws"[22] other than Yahweh's is not serving Yahweh or seeking His kingdom.

In the subsequent chapters, the following Biblical infractions (among others), embodied in the Constitution, will be exposed:

- The Preamble's substitution of a new national god in place of Yahweh.
- Article 1's usurpation of Yahweh's legislative powers.
- Article 2's commandeering of Yahweh's executive sovereignty.
- Article 3's supplanting of Yahweh's judicial system.
- Article 6's repudiation of Christianity.
- Amendment 1's promotion of pluralism, polytheism, and idolatry.
- Amendment 2's replacement of the Biblical responsibility to bear arms.
- Amendment 8's condemnation of Yahweh's judgments.
- Amendment 10's advancement of humanism.

- Amendment 16’s enactment of oppressive taxation.

Let us stop accepting and promoting man-made, second-rate substitutions. May Yahweh open our eyes to the possibilities of His kingdom and His perfect law. May He grant us the same fervor for Him and His kingdom as the liberals have for their democracy and the Constitutionalists have for their republic:

And YHWH stirred up the spirit of … all the remnant of the people; and they came and did work in the house of YHWH of hosts, their God. (Haggai 1:14)

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

2. John Fiske, The Historical Writings of John Fiske, 12 vols. (Boston, MA: Houghton Mifflin Company, 1889) vol. 6, pp. 304-05.

3. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, “The Third Commandment” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. the United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

4. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book Baptism: All You Wanted to Know and More may be requested from Bible Law vs. The United States Constitution PO Box 248, Scottsbluff, Nebraska 69363, for free.

5. Martin Luther, *On Secular Authority: how far does the Obedience owed to it extend*?, quoted in Harro Hopfl, trans., *Luther and Calvin on Secular Authority* (Cambridge, UK: Cambridge University Press, 1991, 1993) pp. 8-9.

6. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, “The Third Commandment” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. the United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

7. Yeshua is the English transliteration of our Savior’s given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this

book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. the United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

8. For additional information regarding the erroneous teaching that Christians are obligated to obey all government laws, *Christian Duty Under Corrupt Government: A Revolutionary Commentary on Romans 13:1-7*, may be ordered from Bible Law vs. The United States Constitution PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $7 donation.*

9. For information on the idolatrous implications of the 501(c)(3) tax exempt status, "The Second Commandment" may be read online, or the book *Thou shalt not make unto thee any graven image*may be ordered from Bible Law vs. The United States Constitution PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

10. James Strong, "Dictionary of the Greek Testament," *The New Strong's Exhaustive Concordance of the Bible*, *s.v.* "*diaspora*" (Nashville, TN: Thomas Nelson Publishers, 1990) p. 23.

11. Joseph Henry Thayer, *The New Thayer's Greek-English Lexicon*, s.v. "parepideemos" (Peabody, MA: Hendrickson Publishers, 1981) p. 488.

12. For a more exhaustive study demonstrating that the Apostle Peter wrote his epistles to Christian Israelites, and for additional information concerning Yahweh's New Covenant marital relationship with Christian Israel, *The Mystery of the Gentiles: Who Are They and Where Are They Now?* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

13. *God's Covenant People: Yesterday, Today and Forever*, which provides a documented dissertation regarding today's Jews' non-Israelite ancestry, may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

14. That the kingdom of God and the kingdom of heaven are one and the same is demonstrated by comparing Matthew 4:17 with Mark 1:15; Matthew 5:3, 10 with Luke 6:20, 22; Matthew 8:11 with Luke 13:28; Matthew 10:7 with Luke 9:60; Matthew 11:11 with Luke 7:28; Matthew 11:12 with Luke 16:16; Matthew 13:11 with Mark 4:11; Matthew 13:31 with Mark 4:30-31; Matthew 13:33 with Luke 13:20-21; Matthew 19:14 with Mark 10:14; and Matthew 19:23 with Mark 10:23.

15. Matthew Henry, *Commentary on the Whole Bible*: *Genesis to Malachi*, 3 vols. (Brattleboro: Brattleboro Typographic Company, 1837 [orig. publ. 1708-1710]) vol. 3, p. 60.

16. Gary DeMar and Peter Leithart, *The Reduction of Christianity*: *A Biblical Response to Dave Hunt*(Ft. Worth, TX: Dominion Press and Atlanta, GA: American Vision Press, 1988) p. 323n.

17. Ebenezer Hazard, ed., *Historical Collections*: *Consisting of State Papers and other Authentic Documents: Intended as Materials for an History of the United States of America*, 2 vols. (Philadelphia, PA: T. Dobson, 1792) vol. 2, p. 1.

18. Dennis Woods, Discipling the Nations: The Government Upon His Shoulder (Franklin, TN: Legacy Communications, 1996) p. 184.

19. Dave Hunt, interviewed by Peter LaLonde, *Dominion*: *A Dangerous New Theology*, Tape #2 of *Dominion*: *The Word and New World Order*.

20. The term "Judeo-Christianity" refers to the vast segment of Christianity that has been heavily influenced, often unknowingly, by the Talmudic religion of Judaism. The religions of Judaism and Christianity are wholly incompatible, as demonstrated by their respective books of faith – the Talmud and the Bible. The term "Judeo-Christianity" is an oxymoron. This incongruity is addressed in detail in *God's Covenant People*: *Yesterday, Today and Forever*. God's Covenant People may be read online, or the book may be ordered from Bible Law vs. The United States Constitution PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

21. Charter to William Penn, 17 December 1682, http://oll.libertyfund.org/index.php?Itemid=264&id=1044&option=com_content&task=view.

22. Man cannot make law (James 4:12, Isaiah 33:22). Any legislation in agreement with Yahweh's laws was already law and did not need man's ratification to validate it anymore than the law of gravity needed man to name it for it to become viable. Any human legislation *not* in agreement with Yahweh's law is simply legalized lawlessness.

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although there is a suggested price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 3
The Preamble: WE THE PEOPLE vs. YAHWEH

The Preamble

WE THE PEOPLE of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

A New God

Constitutionalists often claim the United States Constitution was divinely inspired, and it was – by the new god known as WE THE PEOPLE. Yahweh[1] was formally abandoned when the constitutional framers penned the first three words of the Preamble and put their signatures to the social compact. WE THE PEOPLE became the national replacement for Yahweh:

Article VI, Clause 3 of the Constitution ["no religious test shall ever be required as a qualification to any office or public trust"] closed the door judicially to any transcendent god beyond the political order itself. The Constitution is therefore an apostate covenant; a wholly new god is ordained in it, a god acknowledged by the Framers in order to ordain it and ratify it: the American People.[2]

The idea that WE THE PEOPLE represents a new god will prove difficult for many readers. Let me defer to the inescapable truths of government and religion as presented by R.J. Rushdoony. Note his second point particularly:

1. Law is in every culture religious in origin.
2. The source of law is the god of that society.
3. In any society, any change of law is an explicit or implicit change of religion.
4. No disestablishment of religion as such is possible in any society.
5. There can be no tolerance in a law-system for another religion.[3]

Let me elaborate upon these points one at a time.

Point #1: "Law is in every culture religious in origin." There is no such thing as non-religious or morally neutral laws. All laws reflect a society's morality, and are therefore religious in both origin and nature. Because there is no morality outside Yahweh's morality, as codified in His commandments, statutes, and judgments, any legislation not in agreement with Yahweh's law is legalized immorality.

Point #2: "The source of law is the god of that society." Consider the following definition of "theocracy":

[A] form of government in which God or a deity is recognized as the supreme ruler....[4]

Not all theocracies are Christian. Some are Jewish, Hindu, Islamic, Buddhist, and some are secular. There is no escaping theocracy. A government's laws reflect its morality, and the source of that morality (or, more often than not, immorality) is its god. It is never a question of theocracy or no theocracy, but whose theocracy. The American people, by way of their elected officials, are the source of the Constitutional Republic's laws. Therefore, the Constitutional Republic's god is WE THE PEOPLE.

People recoil at the idea of a theocracy's morality being forced upon them, but because all governments are theocracies, someone's morality is always being enforced. This is an inevitability of government. The only question is which god, theocracy, laws, and morality will we choose to live under?

The rejection of one god leads inescapably to the choice of another god. If a person, group, court, etc. establishes himself as the final arbiter of right and wrong, then he/they have assumed the attributes of a god. Thus, he/they are theocratic.... Democracy can become theocratic if absolute power is given to the people. ...vox populi, vox dei, "the voice of the people is the voice of God." Those who promote a particular worldview and want to see it implemented socially, educationally, politically, and judicially have elevated the majority to the status of gods....

> One assumes the mantle of deity when he sets himself up as the ultimate authority. [as in Article 6's claim that the Constitution is the "supreme law of the land"] It's the attributes of deity that makes someone god-like. In the eighteenth century, the French revolutionaries declared "reason" to be the goddess of their new state religion. Nineteenth century France was spoken of as "goddess France" by patriotic figures like Victor Hugo and Charles Maurras. Hegel, the philosophical patron saint of communism, wrote that "the State is the Divine Idea as it exists on earth.... We must therefore worship the State as the manifestation of the Divine on earth.... The State is the march of God through the world."[5]

Because "...there is none other God but one" (1 Corinthians 8:4)[6], there can be only one true theocracy. All other governments represent some form of humanism. The United States Constitutional Republic is one of many governments in which the people have dethroned Yahweh as the god of their society. All governments are theocentric – that is, god-centered. This is true of a government of, by, and for Yahweh, and it is true of a government of, by, and for the people. Herein we find the battle so often described in the Bible – the war between Yahweh's will and man's will:

It is better to trust in YHWH[7] than to put confidence in man. It is better to trust in YHWH than to put confidence in princes. (Psalm 118:8-9)

The first three words of the Preamble are an expression of this eternal conflict. In Marbury v. Madison, Supreme Court Chief Justice John Marshal acknowledged that the Constitutional Republic is fixated on the gratification of its god:

That the people have an original right to establish, for their future government, such principles as, in their opinion, shall most conduce to their own happiness is the basis on which the whole American fabric had been erected.[8]

Conversely, Christians[9] are fixated on pleasing Yahweh:

…we ... exhort you in the Lord Jesus, that ... you ought to walk [to] please God.... (1 Thessalonians 4:1, NASB)

Ron Paul, the 2008 Republican presidential candidate and one of today's greatest defenders of the Constitution, declared, "The idea of a theocracy very much annoys me."[10] But, the fact is, a theocracy does not annoy Paul at all – at least not the theocracy of WE THE PEOPLE. He, like many Americans, is only offended by Yahweh's theocracy. One has to wonder if Paul wasn't influenced by a symposium of evangelical leaders, who in 1985, said nearly the same thing:

> …evangelicals … desire a nation of Christians, but they are opposed to a Christian government that mandates "Christian" laws simply because they are Christian.[11]

Talk about a house divided against itself. Christians have somehow been convinced that unregenerate men with their imperfect laws and unrighteous judgments can do a better job of governing than can regenerated men with Yahweh's perfect laws and altogether righteous judgments. G.K. Chesterton wrote, "The Christian ideal has not been tried and found wanting. It has been found difficult; and left untried."[12]

Point #3: "In any society, any change of law is an explicit or implicit change of religion." This means that with any change of law an explicit or implicit change of gods occurs as well. More on this later.

Point #4: "No disestablishment of religion as such is possible in any society." Every society's government is religious in nature because all law is religious in origin and reflects the god of that government. There is no escaping this reality. Ironically, in his book The Nature of the American System, Rushdoony attempted to escape this reality as it pertained to the Constitution by claiming the federal government was neither secular nor Christian. He alleged it was religiously neutral, even though later he declared neutrality impossible:

> Neutralism is a myth…. No person or institution possesses the ability to be neutral…. The alternative to "In God we trust" is "In man we trust,"…. The presuppositions of all of man's thinking are inescapably religious, and they are never neutral.[13]

If the Constitutional Republic is not Christian, what is it? It has to be Judaic, Islamic, Buddhist, some other specific religious orientation, or secular (religiously humanistic).

Point #5: "There can be no tolerance in a law-system for another religion." All law systems are intolerant of laws inconsonant with their own. Rushdoony elaborated, "Every law-system must maintain its existence by hostility to every other law-system and to alien religious foundations or else it commits suicide."[14] This was essentially stated in the following Supreme Court cases, so often peddled by Constitutionalists:

> "...a law repugnant to the Constitution is void."
>
> Marbury v. Madison, (1803)[15]

> An unconstitutional act is not law; it confers no right; it imposes no duties; it affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed.
>
> Norton v. Shelby County, (1886)[16]

A Change of Religion

> You cannot have any civil government anywhere in the world without an establishment of religion…. All laws represent morality…. So it is inescapable that when you enact a law you are enacting your moral and religious faith.[17]

How does this statement reflect upon the Constitution? History demonstrates that during the 17th and early 18th centuries, Yahweh's law governed the majority of what was then America. The following are but two of the documents attesting that early Americans formed Christian governments designed around Yahweh's law[18]:

The Portsmouth, Rhode Island, Compact, 1638
We whose names are underwritten do hereby solemnly in the presence of Jehovah incorporate ourselves into a Bodie Politick and as He shall help, will submit our persons, lives and estates unto our Lord Jesus Christ, the King of Kings, and Lord of Lords, and to all those perfect and most absolute laws of His given in His Holy Word of truth, to be guided and judged thereby.

> Fundamental Agreement of the Colony of New Haven, Connecticut, 1639
> Agreement; We all agree that the scriptures hold forth a perfect rule for the direction and government of all men in duties which they are to perform to God and to man, as well in families and commonwealth as in matters of the church; so likewise in all public officers which concern civil order, as choice of magistrates and officers, making and repealing laws, dividing allotments of inheritance, and all things of like nature, we will, all of us, be ordered by the rules which the scripture holds forth; and we agree that such persons may be entrusted with such matters of government as are described in Exodus 18:21 and Deuteronomy 1:13 with Deuteronomy 17:15 and 1 Corinthians 6:1, 6 & 7....

The 1639 agreement makes no reference to any other government as its source of authority:

It is worthy of note that this document contains none of the conventional references to a "dread sovereign" or a "gracious King," nor the slightest allusion to the British or any other government outside of Connecticut itself....[19]

Its longevity is also remarkable:

…Thomas Hooker, founded the colony of Connecticut.... In 1639, he wrote the Fundamental Orders of Connecticut, which many consider to be the first full-fledged written constitution in history. Whereas other documents in the Colonies were later modified or replaced, the Connecticut Constitution remained intact up to and well beyond the adoption of the national Constitution.[20]

Almost as impressive as New Haven's agreement are the testimonies to it and other similar documents:

John Clark Ridpath, History of the United States, 1874
In June of 1639 the leading men of New Haven held a convention in a barn, and formally adopted the Bible as the constitution of the State. Everything was strictly conformed to the religious standard. The government was called the House of Wisdom.... None but church members were admitted to the rights of citizenship.[21]

Richard Mosier identified the Puritan Bible as not "only the holy restored word of God, but a constitutional document of the Protestant movement."[22] Note, an American constitution existed almost 150 years prior to the United States Constitution.

Alexis de Tocqueville, Democracy in America, 1835
They exercised the rights of sovereignty; they named their magistrates, concluded peace or

declared war, made police regulations, and enacted laws as if their allegiance was due only to God. Nothing can be more curious and, at the same time more instructive, than the legislation of that period; it is there that the solution of the great social problem which the United States now presents to the world is to be found.

> Amongst these documents we shall notice, as especially characteristic, the code of laws promulgated by the little State of Connecticut in 1650. The legislators of Connecticut begin with the penal laws, and … they borrow their provisions from the text of Holy Writ. "Whosoever shall worship any other God than the Lord," says the preamble of the Code, "shall surely be put to death." This is followed by ten or twelve enactments of the same kind, copied verbatim from the books of Exodus, Leviticus, and Deuteronomy. Blasphemy, sorcery, adultery, and rape were punished with death….[23]

America was exalted in the eyes of the world because of her applied righteousness, embodied in Yahweh's perfect law. Since 1788, when the United States of America, as a nation, stopped following Yahweh's laws and began following the laws of WE THE PEOPLE, our legislation has ceased providing righteous instruction to others. Instead, the rest of the world now holds America in disdain. If America hopes to regain her favored status in the eyes of the world, she must return to her original Constitution.

McGuffey's Eclectic Reader, America's most popular school book in the 1800s, also testified to America's early form of theocratic government:

Their form of government was as strictly theocratical insomuch that it would be difficult to say where there was any civil authority among them distinct from ecclesiastical jurisdiction. Whenever a few of them settled a town, they immediately gathered themselves into a church; and their elders were magistrates, and their code of laws was the Pentateuch…. God was their King; and they regarded him as truly and literally so….[24]

William McGuffey was undoubtedly influenced by the writings of renowned early American preachers such as John Cotton:

The famous John Cotton, the first minister of Boston … earnestly pleaded "that the government might be considered as a theocracy, wherein the Lord was judge, lawgiver and king; that the laws which He gave Israel might be adopted…." At the desire of the court, he compiled a system of laws founded chiefly on the laws of Moses….[25]

John W. Welch commented on the outstanding influence Yahweh's law had in Colonial America:

Indeed, it has rightly been concluded that "the ideal polity of early Puritan New England was thought to comprehend divine intentions as revealed in Mosaic law." The rule of law began, not with the rules of man but with the rules of God. One Puritan document directly states, "[T]he more any law smells of man, the more unprofitable," and thus, it asserts, the only proper laws were in fact "divine ordinances, revealed in the pages of Holy Writ and administered according to deductions and rules gathered from the Word of God."[26]

Considerable differences existed between Christendom of the 1600s and early 1700s and Christianity of the late 1700s:

Compared with Americans of the 18th or the 19th century, the Puritans surely were theology-minded.... Yet what really distinguished them in their day was that they were ... interested in ... the application of theology to everyday life, and especially to society.[27]

> The Ten Commandments were, of course, in the foreground of their thinking, but the Bible as a whole was the law of their life. For answers to their problems they drew as readily on Exodus, Kings, or Romans, as on the less narrative portions of the Bible.[28]

> The Puritans of Massachusetts Bay said that they started from "the lawes of God" rather than the laws of Englishmen.[29]

> The most dramatic and most obvious [changes in Puritan laws from the laws of England] were in the list of capital crimes. ...including idolatry (violations of the First Commandment), blasphemy, man-stealing (from Exod. 21.16), adultery with a married woman, perjury with intent to secure the death of another, the cursing of a parent by a child over 16 years of age (Exod. 21.17), the offense of being a "rebellious son" (Deut. 21.20.21).... These were clear cases where the laws of Scripture were allowed to override the laws of England.[30]

Late eighteenth-century Christianity, on the other hand, was quite different from the Christendom of early America:

…[by] the mid-18th century ... Puritanism was all but dead.[31]

This means that government based upon the law of Yahweh was also all but dead.

Theirs [late eighteenth-century man's view of Christianity] was not a violent passion inspiring men to rebuild Zion ... but a quietly pervasive sentiment which suffused the institutions of the colony with a mild aura of divine sanction.... The responsibilities of governing New England also dulled the edge of dogma so that by the late 17th century they had begun those prudent compromises which would produce 18th-century Congregationalism and 19th-century Unitarianism. Anglicanism in Virginia, for similar reasons, was destined to be even more practical and compromising than it had been in England.[32]

> It is hard to name a leader of the Revolution, including such men as George Washington, James Madison, Edmund Pendleton, and Patrick Henry, who were not securely within the fold of the [Anglican] Church.[33]

The framers of the Constitution, although mostly churchgoers, were not the same cut of churchmen as those of the 17th century. The churches of the late 18th century and the churches of the 17th century were radically different. The former were interested in building the kingdom of God based upon the perfect law of Yahweh. The latter were hardly interested in Yahweh's law at all, which certainly contributed to the absence of quotations from, or even references to, the laws of Yahweh in the Constitution. The Federalist Papers and the four volumes of notes from the Constitutional Convention are also conspicuously deficient in Bible references. God is mentioned twice in the Federalist Papers, and then only offhand:

Where a hundred years before every case, whether civil, political or criminal, was decided by a reference to the Old or New Testament … in "The Federalist" the Bible and Christianity, as well as the clergy, are passed over as having no bearing upon the political issues being discussed. …The eighteenth-century conception of Greco-Roman Paganism has completely supplanted Puritanic Judaism [Hebraism[34]].[35]

The theological differences between the worldviews of the Puritans and the constitutional framers are striking:

The idea that the state was beyond the reach of the claims of the Bible was … abhorrent to the Puritan…. In the Scriptures they found the origin, the form, the functions and the power of the state and human government. This resort to the Scriptures as the exclusive norm for human political organization and activity clearly differentiated them from both the Roman Catholics and that rising group of secularist writers [particularly in the 1700s] who were finding the origin of the state and the source of its powers in a vaguely defined source known as the social compact or contract. In the Puritan view of life man could no more create the government under which he would live and endow it with its just powers than he could effect his own salvation….

> Basic in Puritan political thought is the doctrine of divine sovereignty. The earthly magistrate … was a minister of God under common grace for the execution of the laws of God among the people at large, for the maintenance of law and order, and for so ruling the state…. In Puritan political theory the magistrate derived his powers from God and not from the people….[36]
>
> The whole conception of government that would later be proclaimed by John Locke and others, which placed the sovereignty in the hands of the people and which found the origin of government in a human compact was utterly unknown to the Puritans. They did not believe in a government by the people…. [They sensed] that in the democratic philosophy, with its emphasis upon the sovereignty of the people, lay a fundamental contradiction to the biblical doctrine of the sovereignty of God. They clearly perceived that democracy was the fruit of humanism and not the Reformation concept.[37]
>
> [Richard] Mosier has well observed that this [late 17th-century] revolutionary age demanded that both the absolute God and the absolute king must "henceforth rule by the consent of the governed. The God of Puritanism, stripped of His antique powers, had no recourse but to enter as a weakened prince into the temple of the individualism and there to seek refuge." This sovereignty which he once claimed, and was accorded by the Puritans, was now claimed by man himself. This was the philosophical and theological outlook of many of the leaders of the Revolution. … [T]heirs was a secular political philosophy and … its roots are to be found in the Enlightenment in general, and in Deism in particular. Most of the Revolutionary leaders desired to retain the Christian ethic, but to separate it from the biblical revelation and to find a new basis for it in natural law.[38]

Mosier had more to say regarding America's most significant paradigm shift, to date:

The waning of Puritanism and the rise of religious rationalism, by loosening the bonds of the ancient faith, had thus prepared the colonial mind for the revolutionary ideas of the eighteenth century.... The religion of reason triumphed over the waning Puritanism, and [allegedly] drew from a weakened God a bill of inalienable rights; while the piety which had once inspired the indomitable Puritan fled into the arms of evangelical religion and bred a sentimental religion of the heart.[39]

> The sovereignty of man … became the rallying cry of republican religion, bringing to a final point of disintegration the forces of Puritanism.[40]

The "world" created by America's original Christian forefathers was turned upside down by the Constitutionalists in the late 1700s:

For the Constitution not to mention religion at all represented a rejection … an extremely controversial decision not to make the United States a Christian Nation. It wasn't contemporary liberals who upset the founders' religious ideas about the United States, it was the founders who upset the Puritans' ideas.[41]

According to Abraham Lincoln, constitutionalism is a religion itself, demanding absolute devotion and obedience to the Constitution and all laws made in pursuance thereof:

Let every American, every lover of liberty, every well wisher to his posterity, swear by the blood of the Revolution, never to violate in the least particular, the laws of the country; and never to tolerate their violation by others. ...to the support of the Constitution and Laws, let every American pledge his life, his property, and his sacred honor; –let every man remember that to violate the law, is to trample on the blood of his father, and to tear the character of his own, and his children's liberty. Let reverence for the laws, be breathed by every American mother, to the lisping babe, that prattles on her lap –let it be taught in schools, in seminaries, and in colleges; let it be written in Primers, spelling books, and in Almanacs; –let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay, of all sexes and tongues, and colors and conditions, sacrifice unceasingly upon its altars.[42]

Most Americans, non-Christians and Christians alike, have done precisely that.

Constitution vs. Constitution

The United States … was conceived in Philadelphia in the summer of 1787 … [and] was … born [when] the document was ratified."

Warren Burger, Supreme Court Chief Justice[43]

The constitutional form of government established in the late 1700s was not practiced in the 1600s or early 1700s. A change of law and government occurred in the late 1700s, not only from English rule, but also from the Colonies' Biblically based governments. From that moment on, the nation that had been predominately Christian became progressively secular and humanistic:

A nation's religious foundation can be determined by looking at its economic system, judicial pronouncements, educational goals, and taxing policy. Culture is "religion externalized." Look at the nation's art and music, and there you will find its religion. Read its books and newspapers. Watch its television programs. The outgrowth of civilization will be present on every page and in every program.... While it might be beneficial to look at the creeds of the churches, the actions of the people who subscribe to the creeds are a more accurate barometer of what the people really believe.[44]

The change of law and government in the late 1700s brought about a change of religion, and because the former law and government represented Yahweh, both He and His law were necessarily discarded for the new god and its laws. This is difficult to accept, especially since we have incessantly been told the constitutional framers were such godly men.

Today's Christian Constitutionalists are quick to share the framers' Christian-sounding quotations. Hundreds of books, replete with such quotations, have been compiled, and no one can question that many of them often said the right things regarding Yahweh, His Son, Christianity, and occasionally even His law. But such statements mean nothing by themselves. Thomas Jefferson made Christian-sounding statements, but no one would argue that he was a Christian. Politicians are famous for saying the right things. Two-hundred years from now, Christian historians will be using Christian-sounding statements from Bill Clinton, George W. Bush, and Barack Obama to buttress declarations that these men were great Christians.

Constitutionalists would do well to heed Job's young friend Elihu who declared that "great men are not always wise," which he preceded with the test of greatness: "the inspiration of the Almighty giveth them understanding" (Job 32:8-9). The framers failed the test of greatness when they disregarded Yahweh's inspiration by ignoring and failing to instate His law:

…[Yahweh] shall come as an eagle against the house of YHWH, because they have transgressed the covenant, and trespassed against my law.... Israel hath cast off the thing that is good; the enemy shall pursue him. They have set up kings, but not by me: they have made princes, and I knew it not.... For they have sown the wind, and they shall reap the whirlwind.... I have written to him the great things of my law, but they were counted as a strange thing. (Hosea 8:1-12)

Some people seem to believe the only thing necessary to prove one's Christianity is an invocation of God. This erroneous and dangerous assumption opens the door to political abuse in the name of Christ and the Christian sanction of ungodly actions – including those of the constitutional framers.

What is required for the Constitution to be a truly Christian covenant?

…two key elements of any covenant are specification of the parties to the covenant and the details of administration. First, as we have seen, if a national organic document is in fact a covenant with God, then it must state this clearly in the preamble. A covenant, as opposed to a contract, includes God as party to the agreement.

> Second, there must be a delineation of how the covenant is to be administered. If a covenant is made with God, then it must spell out the nature of the authority to whom God has delegated administration of the covenant. Who represents the people before God? If these two elements are missing, it is impossible to claim that the document represents a covenant with God. In fact, if these elements are absent or distorted, it is possible to argue that the document [the Constitution] represents a national break from covenant with God, since this covenant had been established earlier in the Mayflower Compact and the various colonial charters.[45]

> Government [covenanted with Yahweh] is not, therefore, a "social contract" as taught by Locke, Rousseau, and Jefferson in the Declaration of Independence. Civil government is established by the sovereign will of God, not the "consent of the governed."[46]

Recognizing the Bible and Christianity's influence upon society is not the same as legislating and adjudicating according to Yahweh's law. One only needs to look at the record to know there has been a dearth of the latter since the Constitution's ratification. In order to conclude the Constitution is a Christian document, today's Christian Constitutionalists have severed the framers' words from their actions. To date, the battle between Christians and secularists over the Constitution has been a war of quotations – and there are plenty to go around for both sides, often from the same framers. Take James Madison for example:

Educated by Presbyterian clergymen, Madison, as a student at Princeton (1769-1772), seems to have developed a "transient inclination" to enter the ministry. In a 1773 letter to a college friend he made the zealous proposal that the rising stars of his generation renounce their secular prospects and "publicly ... declare their unsatisfactoriness by becoming fervent advocates in the cause of Christ." Two months later Madison renounced his spiritual prospects and began the study of law. The next year he entered the political arena, serving as a member of the Orange County Committee of Safety. Public service seems to have crowded out of his consciousness the previous imprints of faith. For the rest of his life there is no mention in his writings of Jesus Christ nor of any of the issues that might concern a practicing Christian. Late in retirement there are a few enigmatic references to religion, but nothing else....

> Scholars, nevertheless, have tried to construct from this unyielding evidence a religious identity for Madison. He is such a commanding figure in the founding period's controversies over religion's relation to government that a knowledge of his personal religious convictions is sought as a key to his public posture on church-state issues. The very paucity of evidence has permitted a latitude of interpretation in which writers have created Madison in the image of their own religious convictions. To Christian scholars Madison is a paragon of piety; to those of a more secular bent he is a deist.[47]

The only means of determining whether the framers were Christians is to compare their actions to the Word of God:

Not every one that saith unto me, Lord, Lord, shall enter into the kingdom of heaven; but he that doeth the will of my Father which is in heaven. Many will say to me in that day, Lord, Lord, have we not prophesied in thy name? And in thy name have cast out devils? And in thy name done many wonderful works? And then will I profess unto them, I never knew you: depart from me, ye that work iniquity [anomian – lawlessness]. (Matthew 7:21-23)

This is a perfect description of the constitutional framers. Although some of them claimed to be Christians, they openly practiced lawlessness. For example, David Barton (founder and president of WallBuilders) and others laud Benjamin Rush, a signatory of the Declaration of Independence, as one of America's great Christian founding fathers, and yet in "An Enquiry into the Effects of Public Punishments Upon Criminals, and Upon Society" (which promoted the unbiblical prison system and rejected Yahweh's punitive system of public executions and restitution), Rush lauded capricious reason as the means of determining what is right:

Reason, tho' deposed and oppressed, is the only just sovereign of the human mind. Discoveries … have derived their credit and usefulness only from their according with the decisions of reason…. These things are … the secret voice of God himself, speaking in the human heart….[48]

The framers nowhere attributed the inspiration for any specific article or amendment in the Constitution to the Bible or the laws of Yahweh. After reviewing over 2,200 political writings published between 1760 and 1805, David S. Lutz and Charles S. Hyneman came to some very interesting conclusions regarding the Bible's influence upon the constitutional framers and others of that period. Lutz admitted that while the "book … most frequently cited by Americans during the founding era [was] … the Book of Deuteronomy, … the Bible's prominence disappears [during the Federalist/Anti-Federalist debate over the Constitution]," and "the Federalists' inclination to Enlightenment rationalism is most evident here in their failure to consider the Bible relevant."[49]Between the 1770s and '80s, Biblical quotations decreased among both Federalists and Anti-Federalists, while Enlightenment and Whig citations increased.

The Constitution was inspired, not by Yahweh, but by a small group of men claiming to represent their new god WE THE PEOPLE. Patrick Henry (who refused to be one of Virginia's delegates to the Constitutional Convention, claiming he smelled a rat) later insisted the conventioneers had no right to claim they represented the people. Nevertheless, by their silence, the people gave their assent, as did those in 2 Samuel 24 when King David pursued an unlawful census. David did not take the brunt of Yahweh's wrath, but rather the people who allowed David to proceed with the census.

Judgment of the people for the transgressions of their rulers is found time and again in the Bible (2 Kings 24:1-4, 2 Chronicles 28:19, etc.). The people are ultimately responsible. They were responsible when the constitutional conventioneers chose a new god, and we will continue to be responsible until we rise up, repent of our forefathers' sins, overthrow WE THE PEOPLE's constitution, and return to Yahweh's constitution.

Internal Evidence

Humanism is the placing of Man at the center of all things and making him the measure of all things.

Francis Schaeffer[50]

The Preamble is arguably the most brazen human claim to sovereignty ever written. If you stop and think about its presumptuous claims, you will see that this new constitution is humanism of the rankest sort:

…[Yahweh's] law is slacked [ignored, NASB], and judgment doth never go forth: for the wicked doth compass about the righteous; therefore wrong judgment proceedeth. (Habakkuk 1:4)

The framers not only compromised Yahweh's law, they completely ignored it, and, in many instances, legislated against it (and the wicked have compassed the righteous ever since). With such a significant Christian beginning in the 1600s, how can we have strayed so far from our Christian roots? The answer is simple: the framers' hearts were divided (Hosea 10:2). Consequently, Yahweh's law was slacked, and once that door was unbolted, there was nothing to stop the continuing compromise, especially when Christians herald the very document that started them down the pernicious road on which we find ourselves today.

Because America has sown the wind by transgressing Yahweh's Covenant and trespassing His law, she is now reaping the whirlwind. Thanks to countless cases like O.J. Simpson's and Stella Liebeck's (the infamous McDonald's coffee spiller), both Christians and non-Christians alike are wondering what has happened to justice.

Therefore, the law is ignored and justice is never upheld. For the wicked surround the righteous; therefore, justice comes out perverted. (Habakkuk 1:4, NASB)

When the wicked surround the righteous, justice is eventually sacrificed either on the altar of public opinion or the altar of political correctness. What little justice the Constitution provides is negated by its unrighteousness.

Behold ye among the heathen, and regard, and wonder marvelously.... For, lo, I raise up the Chaldeans, that bitter and hasty nation, which shall march through the breadth of the land, to possess the dwellingplaces that are not theirs. (Habakkuk 1:5-6)

Today's heathens possess dwelling places that do not, by covenant, belong to them. They hold these high places due to the abdication of the true possessors. Christians have given the kingdom away as the result of doctrines promoting 1) an exclusively future kingdom, 2) the kingdom in heaven rather than the kingdom of heaven, 3) the idea that "this world is not my home," 4) the irrelevance of Yahweh's law under the New Covenant, and 5) a nearly absolute obedience to any and all government authority.

…their judgment [justice, NASB] and their dignity shall proceed of themselves. ...imputing this his power unto his god. (Habakkuk 1:7, 11)

The New American Standard Bible renders verse 7 more accurately: "their justice and authority originate with themselves." The Preamble declares that "WE THE PEOPLE," for various reasons, do "ordain and establish this constitution...." In Deuteronomy 12:8, Moses warned, "Ye shall not do after ... whatsoever is right in [every man's] own eyes." Constitutionalism is a collective, agreed-upon form of humanism. By their silence, and thus their acquiescence to this new form of government, the American people claimed their authority, not from Yahweh, but from themselves.

In one of his many arguments on behalf of the Constitution, Madison revealed where ultimate power resides in a Constitutional Republic:

As the people are the only legitimate fountain of power ... it is from them that the constitutional charter under which the [power of the] several branches of government ... is derived.[51]

Alexander Hamilton stated it similarly:

The fabric of American empire ought to rest on the solid basis of THE CONSENT OF THE PEOPLE. The streams of national power ought to flow immediately from that pure, original fountain of all legitimate authority.[52]

This emphasis on the people by both the federalists and anti-federalists alike is evidence that they had lost sight of Yahweh and His ultimate authority. Such an emphasis on the people cannot be found anywhere in the Bible. George Washington (who presided over the

Constitutional Convention) confirmed this self-originating authority in his “Farewell Address”:

This government, the offspring of our own choice uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and support.[53]

The Constitutional Republic’s fifth president, James Monroe, concurred:

The people, the highest authority known in our system, from whom all our institutions spring and on whom they depend, formed it.[54]

John Adams confessed to the same humanism regarding the States’ Constitutions:

It will never be pretended that any persons employed in that service [the establishment of the States’ Constitutions] had interviews with the gods, or were in any degree under the inspiration of Heaven … it will forever be acknowledged that these governments were contrived merely by the use of reason and the senses.... Thirteen governments [of the original states] thus founded on the natural authority of the people alone....[55]

Following are samplings from some of the State Constitutions:

…all power is inherent in the people and all free governments are founded on their authority. (Pennsylvania, 1790, Article IX, Section II)

> ...no authority shall, on any pretense whatever, be exercised over the people or members of this State, but such as shall be derived from and granted by them [the people]. (New York, 1777, Article I)
>
> …all political power is vested in and derived from the people only. (North Carolina, 1776, “Declaration of Rights,” Article I)
>
> …power is inherent in them [the people], and therefore all just authority in the institutions of political society is derived from the people. (Delaware, 1792, Preamble)
>
> All power residing originally in the people and being derived from them, the several magistrates and officers of government vested with authority – whether Legislative, Executive, or Judicial – are their substitutes and agents and are at all times accountable to them. (Massachusetts, 1789, part I, Article V)

A return to the States’ Constitutions and the Articles of Confederation will not solve America’s propensity for humanism.

In his repudiation of the National Association for the Amendment of the Constitution [to recognize “the rulership of Jesus Christ and the supremacy of the divine law”], Horace Greeley wrote, “Almighty God is not the source of authority and power in our government; the people of The United States are.”[56]

Establishing Justice

According to Habakkuk, not only did the Chaldeans' authority originate with themselves, but so did their justice. And so does the justice of WE THE PEOPLE: "WE THE PEOPLE of the United States, in order to form a more perfect union, establish justice…." What an audacious assertion. Only Yahweh is just, and only He can establish justice:

> Justice and judgment are the habitation of thy [Yahweh's] throne: mercy and truth shall go before thy face. (Psalm 89:14)

In a lecture entitled The Common Law, Constitutional Attorney Herb Titus claimed that the Preamble's assertion that WE THE PEOPLE established justice did not authorize "the national government to define justice."[57] However, because the Constitution never declares Yahweh's law the standard for determining justice, the definition of justice has always been left to the federal and state governments. Instead of confirming the justice inherent in Yahweh's morality and already established in His perfect law, the framers' declaration implies that justice had yet to be established. This (and other numerous confirmations throughout the Constitution) reveals they preferred their own justice to the justice of Yahweh.

Anytime autonomous man attempts to establish justice outside Yahweh's moral laws, the result is always injustice. In Isaiah 5:20, this transposition is depicted as calling good evil and evil good. The word "autonomous" comes from two Greek words: auto meaning self and nomos meaning law. The word, which literally means "self-law," is just another way of describing humanism and, in this instance, constitutionalism.

In a lecture entitled "God, Man, Legal Education & Law," Titus summarized by pointing to the source of justice. He seemed oblivious that his statement condemned the Constitution he promotes:

> The ministry of justice, it is the very essence of law. It is the very purpose of law to administer justice…. And to do so, one must have laws fixed as to time, uniform as to person or situation, and universal. Without God as the source of law, without God as the source of truth, it is impossible to do justice.[58]

Earlier in the same lecture, he asked and answered the following question: "What's the problem with building a legal system based upon man's reason even though it might be man's best reason? [The answer] is that man's reason changes."[59] And, yet, after admitting to this problem, Titus champions a legal system based upon man'reason rather than Yahweh's law.

Justice is defined as "the quality of being just; righteousness, equitableness, or moral rightness."[60]This is a perfect description of Yahweh and His law, particularly from the perspective found in Isaiah 33:22 and James 4:12 that there is only one lawgiver and judge. All law, righteousness, equity, morality, truthfulness, and justice originate with and emanate from Him. None of this exists outside Yahweh and His law, and it all existed long before 1787. Because the Constitution did not uphold Yahweh's lawfulness, righteousness, and justice, it established lawlessness, unrighteousness, and injustice. Christian Constitutionalists recognize this in regard to any other false god. Their unwillingness to apply the same criterion to WE THE PEOPLE is evidence that WE THE PEOPLE is indeed a god to them.

Tribunals of Injustice

If justice be taken away, what are governments but great bands of robbers….

Augustine[61]

Most people recognize that today's courts are tribunals of injustice. When the constitutional framers excluded Yahweh's justice, they opened the door for justice to be defined however judges choose to define it. In other words, the Constitution allows justice to originate with the judges themselves. Any constitution or government formed with designs to define and establish justice of itself denies and stands opposed to the kingdom of Jesus[62]:

For unto us a child is born, unto us a son is given: and the government shall be upon his shoulder.... Of the increase of his government and peace there shall be no end ... and upon his kingdom, to order it, and to establish it with judgment and with justice from henceforth even for ever.... (Isaiah 9:6-7)

> Behold, the days come, saith YHWH, that I will raise unto David a righteous Branch, and a King shall reign and prosper, and shall execute judgment and justice in the earth. (Jeremiah 23:5)

Jesus' purpose was to execute justice here on earth once His kingdom was established at His first advent. (See Chapter 2 "The Kingdom: Yesterday, Today, and Forever" for Biblical evidence that Jesus' kingdom was established at His first advent.) The constitutional framers rejected Jesus' government and justice in an attempt to establish their own notion of justice. But justice cannot exist outside Yahweh, and only Yahweh's subjects, who serve Him according to His perfect laws and righteous judgments, are able to render justice:

The mouth of the righteous speaketh wisdom, and his tongue talketh of judgment [justice, NASB]. The law of his God is in his heart.... (Psalm 37:30-31)

When the constitutional framers spoke of justice in the Preamble, they were not speaking of the justice that originates with Yahweh, but rather "justice" that originated with themselves. Otherwise, they would have followed the example of our Christian forefathers in the 1600s and early 1700s and cited, or at least mentioned, the laws of Yahweh upon which their justice was based.

A More Perfect Union

In contrast with New Haven's 1639 Agreement ("we all agree that the scriptures hold forth a perfect rule for the direction of government"), one of the purposes for this new Constitution was "to form a more perfect union." What the framers had in mind was a union "more perfect" than that of the Articles of Confederation. However because the Articles of Confederation and the Constitution were both based upon the imperfect laws of man, both were a far cry from the governments of the New England Colonies.

"More perfect" is not the same as perfect. Neither the framers nor the Constitution nor the union it formed were perfect. Yahweh, His knowledge, His work, His way, His will, and His law are perfect.[63]Therefore, His government must also be perfect. The question we all face is whether we believe this. John Milton (1608-1674) believed Yahweh's government exceeded those of Greece and Rome:

…the Bible doth more clearly teach the solid rules of civil government than all the eloquence of Greece and Rome.[64]

Milton would have certainly claimed the same regarding the United States government, particularly because the Constitutional Republic was fashioned after Roman law. What the framers believed can only be determined by their actions, and their actions make it clear they did not believe in Yahweh's perfection. Otherwise, they, like the Colonialists, would have established a government based upon His perfect law. Instead, they were willing to settle for something more perfect, which resulted in something far less than perfect.

How about us? What are we willing to settle for? As a nation, we settled for Bill Clinton, the Bushes, and Barack Obama. Why? Because, like the Israelites in 1 Samuel 8, most Americans desire a finite flesh-and-blood president instead of the King of kings. This can only be because – despite what some may claim – they do not believe in the perfection of Yahweh, His way, His work, His will, His law, and His government. The framers and most of today's Americans (non-Christians and Christians alike) are more like the men of Israel in 1 Samuel 8 than Gideon:

Then the men of Israel said unto Gideon, Rule thou over us, both thou, and thy son, and thy son's son also.... And Gideon said unto them, I will not rule over you, neither shall my son rule over you: YHWH shall rule over you. (Judges 8:22-23)

Securing Liberty

As stated in the Preamble, another purpose of the Constitution is to "secure the blessings of liberty to ourselves and our posterity." From childhood, Americans are indoctrinated to believe that, thanks to the Constitution, America is the freest nation on earth:

The media … has played a key role in persuading people that we are the most free nation on earth. While this may or may not be true, most people have never considered this possibility: If all of the other nations were under 100% totalitarian dictatorships, and the United States of America was only under a 95% totalitarian dictatorship, it could still be said that "America is the most free nation on earth." So it is a rather meaningless boast.[65]

> Suppose it be "the best government on earth," does that prove its own goodness, or only the badness of all other governments?[66]

Convinced the Constitution would fail to secure and protect liberty, Patrick Henry voiced his concerns to the Virginia Ratifying Convention in 1788:

…I say our privileges and rights are in danger. …the new form of Government … will … effectually … oppress and ruin the people.... In some parts of the plan before you, the great rights of freemen are endangered, in other parts, absolutely taken away.... There will be no checks, no real balances, in this Government: What can avail your specious imaginary balances, your rope-dancing, chain-rattling, ridiculous ideal checks and contrivances? …And yet who knows the dangers that this new system may produce: they are out of the sight of the common people: They cannot foresee latent consequences.... I see great jeopardy in this new Government.[67]

In contrast to the federalists' failed predictions, this and nearly everything the anti-federalists forecast about the Constitution has come true.

Consider carefully the empty claim of the Constitution Party's 2008 Presidential Candidate, Chuck Baldwin:

Under God, it is allegiance to the Constitution that has preserved our liberties, our peace and happiness, our security, and our very way of life. Furthermore, it is the repudiation and rejection of constitutional government that is responsible for the manner in which these very same blessings are currently being lost.[68]

This is an example of calling evil good and good evil or, in this instance, calling slavery freedom and freedom slavery. The liberties once enjoyed in this nation were secured in the 1600s – not the late 1700s – by means of Yahweh's perfect law of liberty – not the Constitution:

> So shall I keep thy law continually for ever and ever. And I will walk at liberty…. (Psalm 119:44-45)

Baldwin's declaration that our liberty, peace, happiness, security, and way of life were provided by the Constitution "under God" does not vindicate him any more than did Aaron's attempt to name the golden calf Yahweh in Exodus 32. Like Aaron and Baldwin, Constitutionalists are notorious for attempting to make Yahweh an accomplice to their idolatry.

> And when Aaron saw it, he built an altar before it; and Aaron made proclamation, and said, To morrow is a feast to YHWH. …[T]hey have made them a molten calf, and have worshipped it, and have sacrificed thereunto, and said, These be thy gods, O Israel, which have brought thee up out of the land of Egypt. (Exodus 32:5, 8)

Except for occasional interference from the British kings across the Atlantic, this nation experienced its greatest liberty in the 1600s and early 1700s. From the ratification of the Constitution until now, our liberty has been whittled away. At present, we would be hard-pressed to find a nation with less liberty than the United States of America. As Pastor Mather Byles purportedly put it before the American War for Independence: "Which is better – to be ruled by one tyrant three thousand miles away, or by three thousand tyrants not a mile away?"

It is extremely difficult to convince well-fed, content, and happy Americans they are not free. But contentment has nothing to do with freedom. A slave is a slave even if he's fat and happy. "None are more hopelessly enslaved than those who falsely believe they are free."[69]

2 Corinthians 3:17 states, "…where the Spirit of the Lord is there is liberty." The Spirit of the Lord cannot be found in the Constitution because Yahweh and His perfect laws of liberty were flagrantly disregarded. Instead of liberty, the Constitution provided us with bondage: dishonest and reprobate legislators, ever-expanding debt, an ungodly court system, an unnecessary and inept prison system, corruption, licenses, permits, countless registrations, ungodly wars, in addition to taxes on nearly everything. None of these atrocities can occur under Yahweh's system of law.

> Ye shall know them by their fruits. Do men gather grapes of thorns, or figs of thistles? Even so every good tree bringeth forth good fruit; but a corrupt tree bringeth forth evil fruit. A good tree cannot bring forth evil fruit, neither can a corrupt tree bring forth good fruit. (Matthew 7:16-18)

What has been the fruit of the Constitution? We have only to look at the historical record of the last 200-plus years to know the Constitution shackled us with slavery. Man-made surrogates never have and never will provide liberty. Only Yahweh, by way of Jesus' blood-atoning sacrifice and resurrection, can free us as individuals, and only His perfect laws of liberty can free us as a nation.

Americans are noted for gullibility, and their unfounded confidence in the Constitution is no exception. Because the Preamble tells them the Constitution was ordained to secure their liberty, most Americans take it at its word, despite the fact that the first three articles of the Constitution enslave us to an ungodly congress, president, and judicial system – something the 17th- and early 18th-century Christians flourished without.

The constitutional framers could not provide their fellow Americans with liberty for the simple reason that slaves are never able to grant freedom to fellow slaves:

While they promise them liberty, they themselves are the servants of corruption…. (2 Peter 2:19)

The Missing God

They profess that they know God; but in works they deny him, being abominable, and disobedient, and unto every good work reprobate. (Titus 1:16)

The absence of any mention of Yahweh will always dog those who desperately want to make the Constitution either Biblical or Christian:

The revolutionary generation had customarily adorned its formative political documents with references to God. …But when Americans, acting as We the People in the Constitution's preamble, invented the United States of America, they chose not to clothe their act of political creation in the language of faith. …[T]hey breathed not a syllable of piety. This fact did not go unnoticed by some citizens, who complained bitterly about the absence of any reference to God in the Constitution.[70]

How can a document that snubs the God of the Bible be Biblical? How can a document that ignores Christ be Christian?

That no notice whatever should be taken of that God who planteth a nation and plucketh it up at his pleasure, is an omission which no pretext whatever can palliate. Had such a momentous business been transacted by Mahometans, they would have begun, "In the name of God." Even the savages whom we despise, setting a better example, would have paid some homage to the Great Spirit. But, from the Constitution of the United States, it is impossible to ascertain what God we worship; or whether we own a God at all….[71]

> When the war [for Independence] was over and the victory over our enemies won, and the blessings and happiness of liberty and peace were secured, the Constitution was framed and God was neglected. He was not merely forgotten. He was absolutely voted out of the Constitution. The proceedings, as published by [Charles] Thomson the secretary [of the Continental Congress between 1774 and 1789], and the history of the day, show that the question was gravely debated whether God should be in the Constitution or not, and after a solemn debate he was deliberately voted out of it….[72]

Although it is true that four or five weeks into the Constitutional Convention, Benjamin Franklin proposed "prayers imploring the assistance of heaven, and its blessing upon our deliberations, be held in this assembly,"[73] his proposal did not even merit a vote.[74] Franklin wrote, "The Convention, except three or four persons, thought prayers unnecessary."[75] This alone is an abomination to Yahweh:

…I will cut off … them that are turned back from YHWH; and those that have not sought YHWH, nor inquired for him. (Zephaniah 1:4-6)

Die-hard Constitutionalists often try to justify the framers' failure to follow through on Franklin's proposal with the following, taken from Madison's Journal of the Convention, as if it excused the framers' dereliction in seeking Yahweh's favor and direction:

Mr. Hamilton and several others expressed their apprehensions, that, however proper such a resolution might have been at the beginning of the convention, it might at this late day, in the first place, bring on it some disagreeable animadversions [criticisms]; and in the second lead the public to believe that the embarrassments and dissensions within the Convention, had suggested this measure. It was answered by Dr. Franklin, Mr. Sherman, and others, that the past omission of a duty could not justify a further omission, that the rejection of such a proposition would expose the Convention to more unpleasant animadversions than the adoption of it; and that the alarm out of doors that might be excited for the state of things within, would at least be as likely to good as ill.

> Mr [Hugh] Williamson observed, that the true cause of the omission could not be mistaken. The Convention had no funds [with which to pay a professional clergyman to come and pray each morning].[76]

Who cares how it would have appeared to others? Hamilton's excuse sounds all too similar to the excuses of today's politicians. What kind of Christian men would neglect prayer because they could not pay someone to pray for them, especially since three of the framers were active clergy?

Reverend Hugh Williamson [the same as above] was a licensed preacher of the Presbyterian Church who conducted regular church services in North Carolina. Reverend W. Samuel Johnson of Connecticut was the President of Columbia University when he was appointed to the convention. Finally, the third member of the clergy, Reverend Abraham Baldwin, was a typical colonial clergyman who combined religion and politics….[77]

Despite the fact that the framers did not collectively seek Yahweh either before or after Franklin's proposal, baseless claims like the one below are common among Constitutionalists:

Our founders, who authored the Declaration of Independence and the Constitution 11 years later, were filled with an attitude of dependency on God. They looked to Him as the source of their strength and the hope of their success in all major endeavors.[78]

Because the framers legislated contrary to Yahweh's morality, it is doubtful He would have paid them any heed even if they had prayed at the Convention:

Behold, YHWH's hand is not shortened, that it cannot save; neither his ear heavy, that it cannot hear: But your iniquities have separated between you and your God, and your sins have hid his face from you, that he will not hear. (Isaiah 59:1-2)

Franklin's proposal included the following:

I have lived … a long time, and the longer I live, the more convincing proofs I see of this truth – that God Governs in the affairs of men. And if a sparrow cannot fall to the ground without

His notice, is it probable that an empire can rise without His aid? We have been assured, sir, in the Sacred Writings, that "except the Lord build the house, they labor in vain that build it."[79]

Gary DeMar hit the proverbial nail on the head:

Franklin was not known as orthodox in his religious beliefs, but there is no doubt that he understood what made nations great.... The self-taught candlemaker's son ... knew that the key to national success was the acknowledgement that God establishes empires, and He requires that they be built in a certain way. In practical terms alone, Franklin reasoned that to exclude God in nation building is to discount long-term national success.

> Without a fixed transcendent law and law-giver, law becomes the creation of the State. Any action by the State is justified because the State is God.[80]

Is it any wonder that the Constitutional Republic has proved such a failure?

It is said that, after the convention had adjourned, Rev. Dr. Miller, a distinguished professor in Princeton College, met Alexander Hamilton in the streets of Philadelphia, and said, "Mr. Hamilton, we are greatly grieved that the Constitution has no recognition of God or the Christian religion." "I declare," said Hamilton, "we forgot it!"[81]

Hamilton and the other framers should have considered the following admonition:

Beware that thou forget not YHWH thy God, in not keeping his commandments, and his judgments, and his statutes.... Lest when thou hast eaten and art full, and hast built goodly houses, and dwelt therein; and when thy herds and thy flocks multiply, and thy silver and thy gold is multiplied, and all that thou hast is multiplied; then thine heart be lifted up, and thou forget YHWH thy God.... And thou say in thine heart, My power and the might of mine hand hath gotten me this wealth. But thou shalt remember YHWH thy God: for it is he that giveth thee power to get wealth, that he may establish his covenant which he sware unto thy fathers, as it is this day. And it shall be, if thou do at all forget YHWH thy God, and walk after other gods, and serve them, and worship them, I testify against you this day that ye shall surely perish. (Deuteronomy 8:11-19)

To forget Yahweh is to forget His law, with consequences equally calamitous:

My people are destroyed for lack of knowledge: because thou hast rejected knowledge, I will also reject thee ... seeing thou hast forgotten the law of thy God, I will also forget thy children. (Hosea 4:6)

In 1812, in a speech to students assembled in the Yale College chapel, Pastor Timothy Dwight summed up this travesty:

The nation has offended Providence. We formed our Constitution without any acknowledgement of God; without any recognition of His mercies to us, as a people, of His government, or even of His existence. The Convention, by which it was formed, never asked even once His direction, or His blessings, upon their labours. Thus we commenced our national existence under the present system, without God.[82]

Humanist Manifesto II, written in 1973, asserts: “As non-theists, we begin with humans, not God, nature, not deity.”[83]

Conclusion

Idolatry – man making gods in his own image – is the epitome of stupidity. This is precisely what the constitutional framers did when they fashioned the god they christened “WE THE PEOPLE,” in whom they imputed authority and power. Isaiah 44:17 depicts idolaters futilely begging their idol, “Deliver me; for thou art my god.” Most Americans appeal to the laws of WE THE PEOPLE for deliverance rather than to the laws of Yahweh. Consider Jeremiah’s poignant warning:

…they are not valiant for the truth upon the earth; for they proceed from evil to evil, and they know not me, saith YHWH … because they have forsaken my law which I set before them, and have not obeyed my voice, neither walked therein; but have walked after the imagination of their own heart … which their fathers taught them…. (Jeremiah 9:3-14)

This passage, by itself, denounces any contract of the people, by the people, and for the people. Idols are never surrendered easily. Like the Ephesians in Acts 19 who cried out for two hours, “Great is Diana of Ephesians!,” most Americans have been crying out for over two centuries, “Great is the Constitution of the United States!”

Our fathers have sinned, and are not; and we have borne [and compounded] their iniquities. (Lamentations 5:7)

2 Chronicles 7:14

The burden which Habakkuk the prophet did see. O YHWH, how long shall I cry, and thou wilt not hear! Even cry out unto thee of violence, and thou wilt not save! (Habakkuk 1:1-2)

Many Americans have had similar sentiments during the last 200-plus years. Christians are incessantly claiming 2 Chronicles 7:14: “If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land.” Tragically, the very people who claim this verse fail to heed it:

He that turneth away his ear from hearing the [Yahweh’s] law, even his prayer shall be abomination. (Proverbs 28:9)

Because our prayers for national deliverance are not being answered, we have obviously failed to fulfill the requirements found in 2 Chronicles 7:14. The Constitution represents our national idolatry, and until we repent of our veneration of WE THE PEOPLE and all it represents, we cannot expect Yahweh to hear our prayers and heal our land. In fact, such a request is akin to Joshua’s prayer regarding Israel’s defeat at Ai. Following is Yahweh’s response:

And YHWH said unto Joshua, Get thee up; wherefore liest thou thus upon thy face? Israel hath sinned, and they have also transgressed my covenant which I commanded them … I [will not] be with you any more, except ye destroy the accursed from among you. Up, sanctify the people, and say, Sanctify yourselves against to morrow: for thus saith YHWH God of Israel, There is an accursed thing in the midst of thee, O Israel: thou canst not stand before thine enemies, until ye take away the accursed thing from among you. (Joshua 7:10-13)

Until Christian Americans recognize and destroy the accursed thing in our midst, we have no reason to believe Yahweh will hear our prayers for deliverance.

Click to order the Bible Law vs. The United States Constitution CDs:

- The e-book (on CD) A Christian Perspective on the U.S. Constitution
- The audio CD The Bible vs. The U.S. Constitution (Pts. 1 & 2)

End Notes

1. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

2. Gary North, Conspiracy in Philadelphia: The Broken Covenant of the U.S. Constitution (Draper, VA: Nicene Council.com, 2004) p. 322.

3. Rousas John Rushdoony, The Institutes of Biblical Law (The Presbyterian and Reformed Publishing Company, 1973) pp. 4-5.

4. Random House Webster's College Dictionary, s.v. "theocracy" (New York, NY: Random House, Inc., 2000) p. 1356.

5. Gary DeMar, "Defining Terms: Theocracy," 26 February 2007, http://americanvision.org/1629/defining-terms-theocracy/.

6. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

7. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, "The Third Commandment" may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

8. Marbury v. Madison, 5 U.S. (1 Cranch) 137; 2 L. Ed. 60 (1803).

9. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book Baptism: All You Wanted to Know and More may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

10. PBS, Bill Moyers Journal, 4 January 2008.

11. Kenneth S. Kantzer, "Summing Up: An Evangelical View of Church and State," Christianity Today(April 1985) p. 58, quoted in Dennis Woods, Discipling the Nations: The Government Upon His Shoulder (Franklin, TN: Legacy Communications, 1996) p. 140.

12. Gilbert Keith Chesterton, What's Wrong with the World (New York, NY: Dodd, Mead and Company, 1910) p. 48.

13. Rousas John Rushdoony, The Nature of the American System (Vallecito, CA: Ross House Books, 1965/2001) pp. 82, 87, and 88.

14. Rousas John Rushdoony, The Institutes of Biblical Law, pp. 5-6.

15. Marbury v. Madison, 5 US (2 Cranch) 137, 164, 176 (1803).

16. Norton v. Shelby County, 118 US 425, 442 (1886)

17. Rousas John Rushdoony, Lecture: The U.S. Constitution Changed.

18. Because man is finite, he is imperfect. It's not surprising that early American history provides examples of digression from Yahweh's laws (the Salem witch trials, the Mary Dyer case, etc.) among those professing to keep them. This does not change the general intent of the early Americans to live and be ruled by Yahweh's law. These exceptions do not reflect a failure of Yahweh's theocracy. They reflect man's departure from His law.

19. John Fiske, The Historical Writings of John Fiske, 12 vols. (Boston, MA: Houghton Mifflin Company, 1902) vol. 6, p. 155.

20. Mark A. Beliles, Douglas S. Anderson, Contending for the Constitution: Recalling the Christian Influence on the Writing of the Constitution and the Biblical Basis of American Law and Liberty(Charlottesville, VA: Providence Foundation, 2005) p. 95.

21. John Clark Ridpath, History of the United States, 4 vols. (New York, NY: The American Book Company, 1874) vol. 1, p. 181.

22. Richard Mosier, The American Temper (Berkeley, CA: University of California Press, 1952) p. 44.

23. Alexis de Tocqueville, Democracy in America, 2 vols. (New York: NY: The Colonial Press, 1899) vol. 1, pp. 36-37.

24. William Holmes McGuffey, McGuffey's Sixth Eclectic Reader (New York, NY: American Book Company, 1879) p. 225.

25. Jeremy Belknap, John Farmer, The History of New-Hampshire (Dover, NH: George Wadleigh, 1862) pp. 42-43.

26. John W. Welch, "Biblical Law in America: Historical Perspectives and Potentials for Reform," Brigham Young University Law Review, 30 September 2002, http://www.contra-mundum.org/essays/theonomy/WEL1.pdf.

27. Daniel J. Boorstin, The Americans: The Colonial Experience (Norwalk, CT: The Easton Press, 1987) pp. 5-6.

28. Ibid., pp. 18-19.

29. Ibid., p. 24.

30. Ibid., p. 28.

31. Ibid., p. 6.

32. Ibid., pp. 124-25.

33. Ibid., p. 131.

34. Thomas Hall erred concerning a connection between Judaism and Puritanism. He should have used the term "Hebraism." Judaism or Talmudism, a corrupt and blasphemous religion brought back from Babylon to Judea, has little to do with the Hebraism of the Old Covenant. God's Covenant People: Yesterday, Today and Forever conclusively proves that Hebraism and Judaism are two different and adversarial religions. God's Covenant People may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

35. Thomas Cumming Hall, The Religious Background of American Culture (Boston, MA: Little, Brown, and Company, 1930) pp. 184-85, quoted in Gary DeMar, America's Christian History: The Untold Story (Powder Springs, GA: American Vision, Inc., 1993/2008) pp. 83-84.

36. C. Gregg Singer, A Theological Interpretation of American History (Phillipsburg, NJ: Presbyterian and Reformed Publishing Co., 1964) pp. 13-14.

37. Ibid., pp. 18-19.

38. Ibid., p. 35.

39. Mosier, pp. 69-72.

40. Ibid., p. 79.

41. Nicolas Lehman, The New Republic, quoted in Isaac Kramnick and R. Laurence Moore, The Godless Constitution: The Case Against Religious Correctness (New York, NY: W.W. Norton & Company, 1966) p. 1.

42. Abraham Lincoln, "The Perpetuation of Our Political Institutions: Address Before the Young Men's Lyceum of Springfield, Illinois, January 27, 1838," Abraham Lincoln Online: Speeches & Writings, http://showcase.netins.net/web/creative/lincoln/speeches/lyceum.htm.

43. Warren E. Burger, Foreword, Patrick T. Conley and John P. Kaminski, eds., The Constitution and the States: The Role of the Original Thirteen in the Framing and Adoption of the Federal Constitution (Madison, WI: Madison House, 1988) p. vii.

44. Gary DeMar and Peter Leithart, The Reduction of Christianity: A Biblical Response to Dave Hunt(Ft. Worth, TX: Dominion Press and Atlanta, GA: American Vision, 1988) p. 300.

45. Dennis Woods, Discipling the Nations: The Government Upon His Shoulder (Franklin, TN: Legacy Communications, 1996) p. 25.

46. Ibid., pp. 134-35.

47. James Hutson, "James Madison and the Social Utility of Religion: Risks vs. Rewards," James Madison : Philosopher and Practitioner of Liberal Democracy, Library of Congress http://www.loc.gov/loc/madison/hutson-paper.html

48. Benjamin Rush, "An Enquiry into the Effects of Public Punishments Upon Criminals, and Upon Society," read in the Society for Promoting Political Inquiries, convened at the house of His Excellency, Benjamin Franklin, Esquire, in Philadelphia, March 9, 1787, http://english2.byu.edu/facultysyllabi/KLawrence/RUSH.punishments.pdf.

49. Donald S. Lutz, "The Relative Influence of European Writers on Late Eighteenth-Century American Political Thought," The American Political Science Review (March 1984) pp. 189-97.

50. Francis Schaeffer, A Christian Manifesto (1981), in The Complete Works of Francis Schaeffer, 5 vols. (Wheaton, IL: Crossway Books, 1982) vol. 5, p. 426.

51. James Madison, The Federalist, No. 46 (New York, NY: G.P. Putnam's Sons, 1888) p. 217.

52. Alexander Hamilton, The Federalist, No. 22 (New York, NY: G.P. Putnam's Sons, 1888) p. 135.

53. George Washington, Worthington Chauncey Ford, ed., The Writings of George Washington, 14 vols. (New York; NY: G.P. Putnam's Sons, 1892) vol. 13, p. 297.

54. James Monroe, "Views of the President of the United States on the Subject of Internal Improvements," 4 May 1822, http://press-pubs.uchicago.edu/founders/documents/preambles20.html.

55. John Adams, The Works of John Adams, 10 vols. (Boston, MA: Little, Brown, and Company, 1865) vol. 4, pp. 292-93.

56. Horace Greeley, quoted in Robert Michael, A Concise History of American Antisemitism(Lanham, MD: Rowman & Littlefield Publishers, Inc., 2005) p. 87.

57. Herb Titus, The Common Law, Lecture #2, 1998.

58. Herb Titus, "God, Man, Legal Education & Law," Disc 1, God, Man, & Law: The Biblical Principles (Powder Springs, GA: The American Vision, 2007).

59. Ibid.

60. Random House Webster's College Dictionary, s.v. "justice," p. 720.

61. Augustine, De Civ. Dei, IX:4.

62. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, "The Third Commandment" may be read online, or Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

63. Matthew 5:48, Job 31:16, Deuteronomy 32:4, 2 Samuel 22:31, Romans 12:2, and Psalm 19:7.

64. John Milton, quoted in Charles B. Galloway, Christianity and the American Commonwealth(Powder Springs, GA: American Vision, 2005) p. 61.

65. James Bruggeman, epilogue to Christian Duty Under Corrupt Government: A Revolutionary Commentary of Romans 13:1-7, by Ted R. Weiland, 2nd ed. (Scottsbluff, NE: Bible Law vs. The United States Constitution, 2006, 2nd ed.). Christian Duty Under Corrupt Government may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $7 donation.*

66. Lysander Spooner, No Treason, No. VI, The Constitution of No Authority, http://praxeology.net/LS-NT-6.htm#.

67. Patrick Henry, Ralph Ketcham, ed., “Speeches of Patrick Henry (June 5 and 7, 1788),” The Anti-Federalist Papers and the Constitutional Convention Debates (New York, NY: Penguin Books, 2003, 2nd ed.) pp. 200-08.

68. Chuck Baldwin, “Save The Planet? How About Saving The Republic?,” 30 July 2008, Chuck-Wagon Email Commentary, www.chuckbaldwinlive.com/c2008/cbarchive_20080730.html.

69. Johann Wolfgang von Goethe, Otto Wenckstern, trans., Goethe’s Opinions on the World, Mankind, Literature, Science and Art (London, UK: John W. Parker and Son, 1853) p. 3.

70. Alexander M’Leod, D.D., “The Character, Causes, and Ends of the Present War” (1815), quoted in Rev. D. M’Allister, “Testimonies of Religious Defect of the Constitution,” Proceedings of the Fifth National Reform Convention to Aid in Maintaining the Christian Features of the American Government, and Securing a Religious Amendment to the Constitution of the United States, Held in Pittsburg, February 4, 5, 1874, With a History of the Origin and Progress of the Movement (Philadelphia, PA: Christian Statesman Association, 1874) p. 46.

71. John M. Mason, D.D., ed. Ebenezer Mason, 4 vols., The Complete Works of John M. Mason, D.D. (New York, NY: Baker and Scribner, 1849) vol. 3, p. 53.

72. Harry Elmer Barnes, History and Social Intelligence (New York, NY: Alfred A. Knopf, 1926) pp. 347-48.

73. Benjamin Franklin, http://www.americanrhetoric.com/speeches/benfranklin.htm.

74. Robert Yates, “Secret Debates of the Federal Convention of 1787,” Secret Proceedings and Debates of the Constitutional Convention 1787, Entered according to Act of Congress in the year 1838 (Hawthorne, CA: Omni Publications, 1986) pp. 197-98.

75. Benjamin Franklin, quoted in William Templeton Franklin, Memoirs of the Life and Writings of Benjamin Franklin (London, UK: Henry Colburn, 1818, 3rd ed.) p. 195.

76. James Madison, E.H. Scott, ed., Journal of the Federal Convention (Chicago, IL: Albert, Scott & Co., 1893) p. 260.

77. Beliles, Anderson, p. 17.

78. Ibid., p. 3.

79. Benjamin Franklin, http://www.americanrhetoric.com/speeches/benfranklin.htm.

80. Gary DeMar, “Ding, Dong the Law is Dead (With Apologies to Frank Baum),” Biblical Worldview(Powder Springs, GA: American Vision, March 2003) vol. 19, num. 3, pp. 3-4.

81. Benjamin F. Morris, The Christian Life and Character of the Civil Institutions of the United States (Powder Springs, GA: American Vision, Inc., 2009, originally published 1864) pp. 296-97.

82. Timothy Dwight, quoted in Isaac Kramnick and R. Laurence Moore, The Godless Constitution: A Moral Defense of the Secular State (New York, NY: W.W. Norton & Company, 1966) pp. 105-06.

83. Humanist Manifesto II, www.americanhumanist.org/who_we_are/about_humanism/Humanist_Manifesto_II.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although there is a suggested price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 4
Article 1: Legislative Usurpation

Section 1

All legislative powers herein granted shall be vested in a congress of the United States, which shall consist of a Senate and House of Representatives.

"Legislators"

No man's life, liberty, or property is safe while the legislature is in session.[1]

Noah Webster's 1828 American Dictionary of the English Language defines "legislator" as "a lawgiver; one who makes laws...."[2] With this definition in mind, measure Section 1 by the following declarations:

> For YHWH[3] is our judge, YHWH is our lawgiver, YHWH is our king.... (Isaiah 33:22)[4]
>
> There is one lawgiver.... (James 4:12)

As the source of morality, Yahweh[5] is the source of all true law. Because legislation enacts morality, morality and legislation are indivisible. Yahweh holds the monopoly on legislation and thus on the determination of what is good and what is evil. For this reason, I make a distinction in this book between what is *lawful* by Yahweh's standards and what is *legal* by man's standards. Invariably, man makes illegal what is lawful and legal what is unlawful.

For any man or group of men to legislate a different code is tantamount to calling good evil and evil good and makes a mockery of Yahweh's law.

> How do ye say, We are wise, and the law of YHWH is with us? Lo, certainly in vain [*Strong's*, a sham] made he it; the pen of the scribes is in vain. The wise men … have rejected the word of YHWH; and what wisdom is in them? (Jeremiah 8:8-9)

In order to protect the Constitution from Biblical condemnation, some Constitutionalists attempt to neutralize its moral implications:

> The Constitution contains little moral prescription.... The Constitution does not address ethical issues.... At best, the Constitution is a written set of political rules that will implement whatever moral precepts are generally held by the people at any given time.[6]

The Constitution is *full* of moral and ethical issues, which will be demonstrated throughout this book. It was impossible for the constitutional framers to have created a morally neutral document. Legislation is *never* morally neutral. Worse, calling good evil and evil good (as the Constitution repeatedly does) is itself a claim to divinity. One of the attributes of God is the authority to define and legislate good and evil (Genesis 2:16-17, 3:5). Because there is only one true God, there is only one standard for what is good and evil. Anyone who attempts to change His definitions is usurping His place as God. "[T]he other gods about whom we must be concerned are, as they ever have been, to be found in the seats of temporal, or human, government."[7] This is what Jesus,[8] in Matthew 23:2, depicted as fraudulently sitting "in Moses' seat."

Legislative Power

Article 1 begins, “All legislative powers herein granted....” Granted by whom? You will look in vain to find any reference (inside or outside the Constitution) in which the framers affirmed the government’s legislative powers were granted by Yahweh. Neither did they ever affirm the laws of Yahweh:

Cursed be he that confirmeth not all the words of this law to do them. And all the people shall say, Amen. (Deuteronomy 27:26)

And yet the men at the Philadelphia convention are lauded for their disregard for Yahweh and His law. Any attempt to legislate outside Biblical parameters is sedition against Yahweh. To usurp a legislator’s power is to dethrone him:

[The God of Puritanism] stripped of his antique powers [by the constitutional framers] ... had no recourse but to enter as a weakened prince into the temple of individualism, and there to seek refuge.”[9]

David Barton audaciously declared the Constitution as the people’s standard for judging political principles:

Since citizens are entrusted with the responsibility to judge for themselves “the political principles and measures,” the first and primary standard for measurement is the Constituton.[10]

The primary and *only* standard of measurement for any political or lawful code always has been and always will be Yahweh’s morality as found in His commandments, statutes, and judgments. When have people ever been entrusted to judge matters already adjudicated by Yahweh?

I am YHWH thy God.... But my people would not hearken to my voice.... So I gave them up unto their own hearts’ lust: and they walked in their own counsels. (Psalm 81:10-12)

> …the priests bear rule by their [own] means [authority, NASB]; and my people love to have it so.... (Jeremiah 5:31)

If you do not believe the people love to have it so, try challenging the validity of the Constitution.

The legislation agreed upon by the framers and authorized by the Constitution is frequently inconsonant with and antagonistic to Yahweh’s law:

Woe unto them that decree unrighteous decrees, and that write grievousness which they have prescribed. (Isaiah 10:1)

If we believe all morality originates with Yahweh, then we must conclude any law that adds to or subtracts from His law represents lawlessness, unrighteousness, and immorality. Because Yahweh is the sole legislator, only His legislation is law. Any attempt to make laws contrary or in addition to His laws is ultimately futile, as demonstrated by the fickle propensity of constitutional “legislators”:

Two people could have walked down any U.S. street in 1930 – one with a bottle of whiskey under his arm and one with a bar of gold in his pocket, and the one with the whiskey would have been a criminal whereas the one with the bar of gold would have been considered a good law abiding citizen. If the same thing happened in any U. S. city in 1970, the one with the whiskey would be the law abiding citizen and the one with the gold bar would be the criminal.[11]

Consider again one of the two Supreme Court decisions cited in the previous chapter:

"...a law repugnant to the Constitution is void."

Marbury v. Madison (1803)

This ruling was based upon Article 6's declaration that "this Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land…." If you are a Constitutionalist, you must consider any law contrary to the Constitution – including Biblical law – to be null and void. This was evidenced when Ron Paul was asked in an interview by John Lofton if he believed "homosexuality … [is] a sin?" Paul responded:

I'm not as judgmental about that … probably because of my medical background. I don't see it in that simplistic terms [sic]. I think it's a complex issue to decide whether it's sin or other problems with the way people are born. It's too complex to me[12] … to give an answer as simplistic as that.[13]

When Lofton asked, "Do you believe that God says it's a sin?" Paul responded:

Well, I believe a lot of people understand it that way, but I think everyone's God's child too, so I have trouble with that.[13]

Anyone who knows Paul's record knows that if the Constitution condemned sodomy, he would have unabashedly condemned sodomy as well. Yet he would not even acknowledge that Yahweh declares sodomy a sin. Why? His god is WE THE PEOPLE, and because the Constitution is his god's law, it trumps all other law.

On the other hand, if you are a Christian[14] and Yahweh is your God, then any law repugnant to Yahweh's law, including the Constitution, is not law but lawlessness. Whether we see it this way or not, Yahweh certainly does.

The usurpation of Yahweh's law by the constitutional framers was essentially admitted to by President Ronald Reagan in his 1987 State of the Union Address:

Many countries have written into their constitutions provisions for freedom of speech and freedom of assembly. Well, if this is true, why is the Constitution of the United States so exceptional? Well, the difference is so small it almost escapes you – but it's so great it tells you the whole story in just three words: "We The People."

> In those Constitutions, the government tells the people what they are allowed to do. In our Constitution, We The People tell the government what it can do and that it can do only those listed in that document and no others.

> Virtually every other revolution in history has just exchanged one set of rulers for another. Our revolution is the first to say the people are the masters, and government is their servant. …here in America, We The People are in charge.[15]

Instead of taking orders from Yahweh, most Americans take their orders from WE THE PEOPLE or, more precisely, from their legislators and ultimately from the Supreme Court Justices.

Section 2, Clause 1

The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

Extra-Biblical "Laws"

Yahweh is the only lawgiver, His law is perfect, and nothing found in Article 1, Section 2, Clause 1 could improve upon it:

What thing soever I command you, observe to do it: thou shalt not add thereto, nor diminish from it. (Deuteronomy 12:32)

Section 2, Clause 1 is the first of many needless legislative additions found throughout the Constitution. It is also the first constitutional provision mandating public slavery to a congress that has the power to make "laws," not only in addition to, but also in contradiction to Yahweh's laws. Since the Constitutional Convention, Congress has consistently legislated contrary to Yahweh's morality. This incessant supplanting of Yahweh's law will continue until Americans recognize and repent of their constitutional idolatry.

House of Representatives

Some Constitutionalists argue that the concept of representative government originated with Moses:

And Moses chose able men out of all Israel, and made them heads over the people, rulers of thousands, rulers of hundreds, rulers of fifties, and rulers of tens. (Exodus 18:25)

Nowhere in the framers' copious convention notes, the Federalist Papers, or anywhere else in their writings, do we find any indication that the idea for the House of Representatives was inspired by Exodus 18:25. Christian Constitutionalists apply Exodus 18:25 to this section of the Constitution to give it an aura of Biblical authority. But Moses' charge has nothing to do with representatives of the people. As proven by its context, it is a provision for judges – representatives of Yahweh:

…thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness; and place such over them, to be rulers of thousands, and rulers of hundreds, rulers of fifties, and rulers of tens: And let them judge the people at all seasons: and it shall be, that every great matter they shall bring unto thee, but every small matter they shall judge…. So Moses … chose able men out of all Israel, and made them heads over the people, rulers of thousands, rulers of hundreds, rulers of fifties, and rulers of tens. And they judged the people at all seasons…. (Exodus 18:21-26)

It is, in fact, a violation of Yahweh's law for rulers to respect (represent) the people, regardless their numbers, rank, or for any other reason:

And I [Moses] charged your judges at that time, saying, Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. Ye shall not respect persons in judgment, but ye shall hear the small as well as the great; ye shall not be afraid of the face of man; for the judgment is God's…. (Deuteronomy 1:16-17)

> And [King Jehoshaphat] said to the judges, Take heed what ye do: for ye judge not for man, but for YHWH…. (2 Chronicles 19:6)

Section 2, Clause 2

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen….

These are the *only* qualifications required to be a representative of the people. Is it any surprise that "no man's life, liberty, or property is safe while the legislature is in session"? Article 6's federal ban on religious tests eliminated any possibility of the Biblical qualifications being utilized to determine whether a candidate is qualified and competent to fill a leadership position. (See Chapter 5 "Article 2: Executive Usurpation" for a list of Biblical qualifications for public service.) Without Biblical qualifications, the representatives (also senators, presidents, and judges) voted or appointed into office are not likely to be any better than the leaders described by Micah:

The best of them is as a brier: the most upright is sharper than a thorn hedge…. (Micah 7:4)

Only one qualification in Section 2, Clause 2 agrees with Yahweh's law – the age requirement of twenty-five. Numbers 8:24-25 stipulates that the Levite layman (the civil servants of that day, not to be confused with the Levitical priests for whom age limitations did not exist) were to begin their service at the age of twenty-five and complete it at the age of fifty. However, we find no indication that the minimum age requirement for Representatives was inspired by Numbers 8:24-25.

Section 2, Clause 3

Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers…. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct.

Decennial Census

This is the origin of the unlawful decennial census, which has been exploited to pry into every household's private affairs.

The people in former times objected to the census because it was "obviously the forerunner of conscription into the army and was also a survey to determine how many people there were who could be taxed and how much tax they could bear." Resentment against the census has continued down through the centuries. "The first count of population in the United States was undertaken in New York in 1712, but had to be left unfinished, so violent was the opposition. New Jersey, a few years later, wanted to take a census but it did not dare begin."[16]

If such a census were necessary, we would find it provided for in Yahweh's perfect law. The only census Yahweh authorized is for men of military age:

Take ye the sum of all the congregation of the children of Israel, after their families, by the house of their fathers, with the number of their names, every male by their polls; from twenty years old and upward, all that are able to go forth to war.... (Numbers 1:2-3)

This census was abused by King David with grave consequences:

And David said to Joab and to the rulers of the people, Go, number Israel from Beer-sheba even to Dan; and bring the number of them to me, that I may know it. And Joab answered, ... Why will he be a cause of trespass to Israel? ...And God was displeased with this thing; therefore he smote Israel.... So YHWH sent pestilence upon Israel: and there fell of Israel seventy thousand men. (1 Chronicles 21:2-14)

The Constitution's decennial census is not forbidden in the Bible, but neither was David's. Something does not necessarily have to be forbidden to be outside Yahweh's law.

Bible readers often wonder, "Why were the people judged instead of David?" The people, in their apathy, did nothing to contravene David's unlawful act – just as Americans did nothing in the late 1700s when a handful of men claimed for the people an authority and justice that originated with themselves:

And have no fellowship with the unfruitful works of darkness, but rather reprove [expose, NASB] them. (Ephesians 5:11)

In 1 Samuel 14:44-45, when King Saul intended to kill his son Jonathan, the people repudiated his work of darkness, just as late 18th-century Americans should have done with the Constitution. 2 Kings 20 provides precedent for opposing an unbiblical census:

At that time Berodach-baladan ... king of Babylon, sent letters and a present unto Hezekiah [king of the house of Judah].... And Hezekiah hearkened unto them, and shewed them all the house of his precious things, the silver, and the gold, and the spices, and the precious ointment, and all the house of his armour, and all that was found in his treasures: there was nothing in his house, nor in all his dominion, that Hezekiah shewed them not. (2 Kings 20:12-13)

Although not a formal numbering of the people, Hezekiah's disclosure sounds all too similar to undiscerning, government-obedient Christians at census time. Is Yahweh pleased with such indiscriminant disclosure?

Then came Isaiah the prophet unto king Hezekiah, and said unto him, ...What have they seen in thine house? And Hezekiah answered, All the things that are in mine house have they seen: there is nothing among my treasures that I have not shewed them. And Isaiah said unto Hezekiah, Hear the word of YHWH. Behold, the days come, that all that is in thine house, and that which thy fathers have laid up in store unto this day, shall be carried into Babylon: nothing shall be left, saith YHWH. And of thy sons that shall issue from thee, which thou shalt beget, shall they take away; and they shall be eunuchs in the palace of the king of Babylon. (2 Kings 20:14-18)

Nowhere was Hezekiah forbidden to divulge particulars about his family and his possessions to the Babylonians, but he was judged for his indiscretion nonetheless.

Section 2, Clause 5

The House of Representatives shall choose their speaker and other officers; and shall have the sole power of impeachment.

Impeachment finds implicit Biblical precedent in its qualifications for civil rulers. However, the House of Representatives' "sole power of impeachment" has no basis in the Bible. This power of self-discipline, indicative of a good ol' boys' club, has been employed only once in over 220 years (in the case of Senator William Blount on July 8, 1797), despite the fact that almost everyone in the House of Representatives deserves impeachment. Even Charlie Rangel, with his numerous ethics violations, did not rate an impeachment in 2010. Except in the rarest instances, the members of the House are not about to turn on one another for fear that they, in turn, will be devoured by one another.

The Biblical power for removing a judge from his bench is to be impartially enforced whenever a judge breaches the Biblical qualifications, as stipulated in Exodus 18:21; Deuteronomy 1:13-17, 17:15-19; 2 Chronicles 19:5-8; Romans 13:1-4; 1 Corinthians 6:1-5; 1 Timothy 3:1-13; and Titus 1:5-9.

Section 3, Clause 1

The Senate of the United States shall be composed of two senators from each state, chosen by the legislature thereof,[17] for six years; and each senator shall have one vote.

The Senate

The Senate is no more Biblical than is the House of Representatives. Patrick Henry had very little good to say about the Constitution's proposed Senate and its lack of accountability:

> …Your Senate is so imperfectly constructed that your dearest rights may be sacrificed by what may be a small minority.… It is on a supposition that your American Governors [senators] shall be honest … but its defective, and imperfect construction, puts it in their power to perpetrate the worst of mischiefs, should they be bad men: and, Sir, would not all the world, from the Eastern to the Western hemisphere, blame our distracted folly in resting our rights upon the contingency of our rulers being good or bad. Show me that age and country where the rights and liberties of the people were placed on the sole chance of their rulers being good men, without a consequent loss of liberty? I say that the loss of that dearest privilege has ever followed with absolute certainty, every such mad attempt.[18]

Limited Government

A senate further enslaves the people to a gargantuan federal government, which must be paid for with tax dollars. Constitutionalists, Libertarians, and even Republicans are often heard discussing the idea that limited government was an objective of the framers. It is true that government was much more limited in the late 1700s than it is today. But do not believe for a minute that the Constitution provided us with limited government, even in the late 1700s. A government consisting of a president, vice president, House of Representatives, Senate, and judiciary can hardly be described as limited. When the framers threw away America's Christian theocracy in exchange for the United States' secular theocracy, they also cast aside limited government.

With some rare exceptions, Yahweh's government consists of only one King and Legislator – Yahweh – and a judiciary to litigate His commandments and statutes and enforce His judgments. *That is limited government*. Yahweh's government has no need for a president and his cabinet, no need for the House of Representatives or the Senate and their glutted bureaucracy, no need for a prison complex, no need for a parasitical welfare system, no need for the Federal Reserve, no need for the Internal Revenue Service, and no need for a tax-subsidized standing army. Constitutionalists want to abolish nearly everything enumerated here, but they would have us "return" to the very document that permitted these excesses and robbed us of a truly limited government.[19]

Section 3, Clause 3

No person shall be a senator who shall not have attained to the age of thirty years….

The arbitrary age requirement of thirty years cannot be found in the Bible.

Section 3, Clause 4

The Vice President of the United States shall be president of the Senate, but shall have no vote, unless they be equally divided.

No Biblical precedent exists for a vice president. If we have no need of a president, we certainly have no need of a vice president. (See Chapter 5 "Article 2: Executive Usurpation" for additional information regarding the superfluous positions of president and vice president.)

A search of the records in 1942 showed that in the course of our history the Vice President had cast the deciding vote in the Senate 188 times, often with respect to the most momentous matters. To August of 1994 this has occurred 234 times. It is interesting to note that the fate of the Nation has hung on the ethics and integrity of one man this many times.[20]

In such instances, instead of determining the future or fate of the nation upon Yahweh's perfect morality as stipulated in His law, the Constitutional Republic relies on the integrity of one finite man, whose deciding vote has often been in contempt of Yahweh's morality.

Section 3, Clauses 6-7

The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the chief justice shall preside: And no person shall be convicted without the concurrence of two-thirds of the members present.

> Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under the United States; but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment, according to law.

The Senate, like the House of Representatives, is a part of the good ol' boys' club that protects its own in order to protect itself. President Bill Clinton, who was convicted of the misuse of his high office in the obstruction of justice and of perjury before both grand and civil juries, was impeached by the House of Representatives, but the Senate refused to convict him. It is tragic that our forefathers did not heed Patrick Henry's advice:

This, Sir, is my great objection to the Constitution, that there is no true responsibility – and that the preservation of our liberty depends on the single chance of men being virtuous enough to make laws to punish themselves.[21]

Section 6, Clause 1

The Senators and representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the United States....

Originally, Congressional salaries were $6 per day while in session. By 1815, Congressmen received $1,500 annually, and, by 1968, their annual salaries had been raised to $30,000. The current salary for Senators and Representatives is $174,000. The Speaker of the House receives $223,500, and the Majority and Minority Leaders each receive $193,400. Every year, Congressmen and Senators receive an automatic cost of living adjustment (COLA). Additionally, every member in the Senate and House receives an allotment for office expenses, which includes staff payroll and traveling expenses. This amounts to approximately $1 million per office. The current annual Congressional expenditure is $626,103,500, and this does not account for the many other financial perks[22] and the lavish retirement plans received by former Congressmen and women and their spouses:

With service of 20-25 years, a Member of Congress could retire with up to 80 percent of his or her final salary replaced. Of course, the only cap on how fast their benefits rise is the rate of increase in CPI [Consumer Price Index]. For this reason, Congressional pensions can and frequently do exceed a Member's final salary, but only after a few years in retirement, when COLAs begin to kick in. For example, a Member of Congress ... could collect $5 million or more, if he or she retires in his/her fifties, lives until his/her eighties, and elects to leave a part of the pension benefit to a spouse, who then lives 10 or more years longer.... With Cost of Living Adjustments, total payments over a lifetime can reach these levels (though the more typical payout is likely to be between $1 million and $2 million). In the final analysis, Congressional pension benefits are 2-3 times more generous than what a similarly-salaried executive could expect to receive upon retiring from the private sector.[23]

A return to Yahweh's government, in which a Senate and House of Representatives is superfluous, would eliminate this heavy tax burden altogether.

Section 7, Clauses 1-2

All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bills.

> Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve, he shall sign it, but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration, two-thirds of that house shall agree to pass the bill, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of that house, it shall become a law.... If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall become law....

Any legislation in agreement with Yahweh's law is already law and does not need man's ratification to validate it. Any legislation not in agreement with Yahweh's law is simply legalized immorality because "what is morally wrong cannot be made legally right."[24]

The Constitution authorizes a simple majority in the Senate and House or, if vetoed by the President, a two-thirds majority to make *anything* "law" – including infanticide and the protection and promotion of sodomy. That the federal government does not have jurisdiction to legalize infanticide and sodomy is technically true. However, this does not change the fact that it *did* legalize these and other abominations. Libertarian attorney Lysander Spooner (1808-1887) wrote that the Constitution "has either authorized such a government as we have had, or has been powerless to prevent it."[25]

That Sundays are an exception in the Constitution's ratification process is not proof that the Constitution is a Christian document. It merely recognizes that presidents are not likely to do business as usual on Sundays. Sundays were exempted in the ten day count to provide presidents a full ten days to consider any bill put before them.

Section 8, Clause 1

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States….

Power

This Clause begins, "The Congress shall have power…." From where is this power derived? From a temporal perspective, this power comes from the god WE THE PEOPLE. Ultimately, it comes from Yahweh. The Prophet Daniel wrote that Yahweh "ruleth in the kingdom of men, and giveth it to whomsoever he will, and setteth up over it the basest of men" (Daniel 4:17). Jesus told the Roman governor Pontius Pilate that "thou couldest have no power at all against me, except it were given thee from above" (John 19:11). However, although all power or authority originates with Yahweh, this does not mean He approves all authority:

> …He [Yahweh] shall come as an eagle against the house of YHWH, because they have transgressed my covenant, and trespassed against my law…. Israel hath cast off the thing that is good…. They have set up kings, but not by me: they have made princes, and I knew it not…. (Hosea 8:1-4)

Are we to believe the omniscient, sovereign God did not know what these rebellious Israelites were doing? Rather, their rulers were set in positions of authority *without Yahweh's favor*. This is no different from Yahweh's telling Samuel to give the Israelites the earthly king they desired in 1 Samuel 8, despite the fact that in so doing they were rejecting Him as their King.

No government can exist without Yahweh's allowing it. But two different types of government exist for two different types of people. Nations that submit to Yahweh's Word are blessed with just and righteous rulers. Nations who rebel against His Word are visited with oppressive rulers for the purpose of bringing them to submission:

> …they [the twelve tribes of Israel] were disobedient, and rebelled against thee, and cast thy law behind their backs…. Therefore thou deliveredst them into the hand of their enemies, who vexed them … they did evil again before thee: therefore leftest thou them in the hand of their enemies, so that they had the dominion over them…. And [Yahweh] testifiedst against them, that thou mightiest bring them again unto thy law; yet they dealt proudly, and hearkened not

unto thy commandments, but sinned against thy judgments.... Howbeit thou art just in all that is brought upon us ... we have done wickedly: Neither have our kings, our princes, our priests, nor our fathers, kept thy law, nor hearkened unto thy commandments and thy testimonies.... For they have not served thee in their kingdom.... Behold, we are servants this day ... unto the kings whom thou hast set over us because of our sins: also they have dominion over our bodies, and over our cattle, at their pleasure, and we are in great distress. (Nehemiah 9:26-37)

Power to Unfairly Tax

Some people believe the Constitution's authority to tax is implied in Romans 13:

Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation.... Wherefore ye must needs be subject, not only for wrath, but also for conscience' sake. For for this cause pay ye tribute [taxes, NASB] also: for they are God's ministers, attending continually upon this very thing. Render therefore to all their dues: tribute to whom tribute is due; custom to whom custom; fear to whom fear; honour to whom honour. (Romans 13:1-2, 5-7)

Many ministers have turned this passage into "a sword of oppression rather than a shield from tyranny."[26] If one ignores the context, it does appear that all governments have the right to tax their citizens and that Christians are obligated to pay any and all taxes. But this interpretation can only be defended if verses 3 and 4 are ignored. In verse 6, we are told, "for this cause pay ye tribute." In other words, for the specific cause mentioned in the previous verses:

For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same: For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil. (Romans 13:3-4)

The Apostle Paul was explicit about the type of rulers to whom he was referring. Three times in five verses he identified them as ministers or servants of Yahweh who do good to the righteous and strike fear into the hearts of the wicked. Does this description apply to everyone working in government today? Does this description apply to *anyone* in government today? Just as respect and honor are not due to everyone, neither are taxes due to someone just because he claims them. Are taxes due to those who legislate and finance pornography, sodomy, and infanticide? Are taxes due to those who conspire to disarm law-abiding citizens and who promote an antichrist New World Order?

Because Article 6 bans Biblical qualifications for public officials, it was inevitable that evil men (the opposite of those described in Romans 13) would one day sit in the "seat of Moses" here in America. In paying government officials who do not fit Paul's description, we finance our own destruction:

The fact is that the government, like a highwayman, says to a man: "*Your money, or your life*.".... The highwayman ... does not pretend that he has any rightful claim to your money, or that he intends to use it for your own benefit. He does not pretend to be anything but a robber.... He does not persist in following you on the road, against your will; assuming to be your rightful "sovereign," on account of the "protection" he affords you.... He is too much of a gentleman to be guilty of such impostures, and insults, and villainies as these.

> …whoever desires liberty, should understand these vital facts, viz.: 1. That every man who puts money into the hands of a "government" (so called), puts into its hands a sword which will be used against him, to extort more money from him, and also to keep him in subjection to its arbitrary will. 2. That those who will take his money, without his consent, in the first place, will use it for his further robbery and enslavement, if he presumes to resist their demands in the future…. 5. That the only security men can have for their political liberty, consists in their keeping their money in their own pockets, until they have assurances, perfectly satisfactory to themselves, that it will be used as they wish it to be used, for their benefit, and not for their injury [as per Romans 13:3-4].[27]

In 1749, Pastor Jonathan Mayhew concurred in a sermon preached from Romans 13:

Here the apostle argues the duty of paying taxes from this consideration, that those who perform the duty of rulers are continually attending upon the public welfare. But how does this argument conclude for paying taxes to such princes as are continually endeavoring to ruin the public, and especially when such payment would facilitate and promote this wicked design?

> Does this argument conclude for the duty of paying tribute, custom, reverence, honor, and obedience to such persons as, although they bear the title of rulers, use all their power to hurt and injure the public? – such as are not God's ministers, but Satan's? such as do not take care of and attend upon the public interest, but their own, to the ruin of the public? – that is, in short, to such as have no just claim at all to tribute, custom, reverence, honor, and obedience? It is to be hoped that those who have any regard to the apostle's character as an inspired writer, or even as a man of common understanding, will not represent him as reasoning in such a loose, incoherent manner, and drawing conclusions which have not the least relation to his premises. For what can be more absurd than an argument thus framed: "Rulers are, by their office, bound to consult the public welfare and the good of society; therefore, you are bound to pay them tribute, to honor, and submit to them, even when they destroy the public welfare, and are a common pest to society by acting in direct contradiction to the nature and end of their office"?[28]

Renowned Bible Commentator Adam Clarke also commented upon Paul's intent:

…there is no insinuation in the apostle's words in behalf of an extravagant and oppressive taxation, for the support of unprincipled and unnecessary wars; or the pensioning of corrupt or useless men.[29]

Even Thomas Jefferson declared that no one should be forced to underwrite immoral legislation:

…to compel a man to furnish contributions of money for the propagation of opinions which he disbelieves and abhors, is sinful and tyrannical….[30]

Furthermore, nowhere in the Constitution is a limit imposed on taxation. This greatly concerned Patrick Henry and Luther Martin:

The clause under consideration gives an unlimited and unbounded power of taxation…. … [T]he whole of our property may be taken by this American government, by laying what taxes they please, giving themselves what salaries they please and suspending our laws at their pleasure....[31]

> By the power to lay and collect imposts, they impose duties on any and every article of commerce imported into these States, to what amount they please. By the power to lay excises ... the Congress may impose duties on every article of use of consumption, on the food that we eat, on the liquors that we drink, on the clothes that we wear, the glass which enlightens our houses, or the hearths necessary for our warmth and comfort. By the power to lay and collect taxes, they may proceed to direct taxation on every individual, either by capitation tax on their heads, or an assessment on their property. ...to what amount they choose, and thus to sluice them at every vein as long as they have a drop of blood, without any control, limitation, or restraint....[32]

Henry's and Martin's[33] concerns were prophetic. This "unlimited and unbounded power of taxation" – what today might be described as womb-to-tomb taxation – has become a reality. Biblical tax, on the other hand, is fixed at ten percent of a person's increase. Under Yahweh's economic system, only those who can afford it are taxed. No one would ever be encumbered with income or property tax. These egregious taxes, and others, are addressed in Chapter 25 "Amendment 16: Graduated Income Tax vs. Flat Increase Tax.".

Christians should gladly pay a tithe of their increase to a government that does good works, supports the righteous, and brings wrath (judgment) upon the wicked. In fact, we are explicitly charged to do so. However, because the Constitution is antithetical and antagonistic to Yahweh's morality, the United States Constitutional Republic is disqualified as the type of government described by Paul in Romans 13.

Section 8, Clause 2

[Congress shall have power] To borrow money on the credit of the United States.

Power to Economically Enslave

…thou shalt lend unto many nations, and thou shalt not borrow. (Deuteronomy 28:12)

> The rich ruleth over the poor, and the borrower is servant [slave, NASB] to the lender. (Proverbs 22:7)

The United States government was in debt from its inception:

From the very beginning, the U.S. had a monetary system based on borrowing and debt. First came the thousands of state chartered banks that began operating late in the Revolutionary War period and continued in one form or another until today. Then there were the two early central banks: the First Bank of the United States (1791-1811) and the Second Bank of the United States (1816-1836). Today's national banking system began during the Civil War with the National Banking Acts of 1863-64. Then there is the system we are living under today, the Federal Reserve, chartered by Congress in 1913. Even during the times when the government has sold its debt directly to the public, as with war bonds, savings bonds, and Treasury notes and bills, that too has been money borrowed at interest.[34]

Because borrowing money was perceived as necessary since the ratification of the Constitution, the United States government has been under the curse of Yahweh from its inception. One of Yahweh's blessings is the ability to lend; one of His curses is the necessity of borrowing:

And it shall come to pass, if thou shalt hearken diligently unto the voice of YHWH thy God, to observe and to do all his commandments which I command thee this day, that YHWH thy God will set thee on high above all nations of the earth: And all these blessings shall come on thee, and overtake thee…. YHWH shall open unto thee his good treasure, the heaven to give the rain unto thy land in his season, and to bless all the work of thine hand: and thou shalt lend unto many nations, and thou shalt not borrow…. But it shall come to pass, if thou wilt not hearken unto the voice of YHWH thy God, to observe to do all his commandments and his statutes which I command thee this day; that all these curses shall come upon thee, and overtake thee…. The stranger that is within thee shall get up above thee very high; and thou shalt come down very low. He shall lend to thee, and thou shalt not lend to him: he shall be the head, and thou shalt be the tail. (Deuteronomy 28:1-2, 12, 15, 43-44)

Put simply, the Constitution provides for the monetary enslavement of the people of the United States of America. Because Americans chose a government that represented themselves, our present economic woes were inevitable:

Thus speaketh YHWH of hosts, saying, This people say, The time is not come, the time that YHWH's house [the seat of government] should be built. Then came the word of YHWH by Haggai the prophet, saying, Is it time for you, O ye, to dwell in your cieled [paneled, NASB] houses, and this house lie waste? …Consider your ways. Ye have sown much, and bring in little; ye eat, but ye have not enough; ye drink, but ye are not filled with drink; ye clothe you, but there is none warm; and he that earneth wages earneth wages to put it into a bag with holes. Thus saith YHWH of hosts; Consider your ways. …build the house; and I will take pleasure in it, and I will be glorified, saith YHWH. Ye looked for much, and, lo, it came to little; and when ye brought it home, I did blow upon it (blow it away, NASB). Why? saith YHWH of hosts. Because of mine house that is waste, and ye run every man unto his own house. (Haggai 1:2-9)

Shortly after his appointment as the United States' first Secretary of Treasury, Alexander Hamilton funded the new economy with borrowed money. Five months later, James Jackson, the first congressman of Georgia, predicted our present-day economic quagmire:

Though our present debt be but a few millions, in the course of a single century it may be multiplied to an extent we dare not think of.[35]

Yahweh's law does not permit government borrowing. According to Deuteronomy 28:43-44, having to borrow from other nations is a curse for failing to follow Yahweh's commandments, statutes, and judgments. In Deuteronomy 15:1-11, Yahweh limits private debts to seven years, which results in the following blessings:

At the end of every seven years thou shalt make a release. …Every creditor that lendeth ought unto his neighbour shall release it…. For YHWH thy God blesseth thee, as he promised thee: and thou shalt lend unto many nations, but thou shalt not borrow; and thou shalt reign over many nations, but they shall not reign over thee. (Deuteronomy 15:1-6)

R.J. Rushdoony described the subterfuge involved in the promise of a balanced budget under constitutional government:

…although politicians may promise a balanced budget, they are more likely to gain the power they desire by increasing debt, for in a debt-free country, the citizenry is strong and the civil government is limited. In a debt-ridden country, taxes increase, liberties decrease, and the civil government, increasingly less responsive to the will of the citizenry, increases its own power over the people even as it vastly enlarges the power of the invisible government over all.[36]

Debt invariably enslaves future generations as well:

The last of the Civil War debt was retired in 1934. As of June 30, 1919, the Treasurer of the United States reported the estimated gross cost of World War I as $30,177,000,000. The debt for World War II is placed at around $275,000,000,000.[37]

Circa 1988, the United States of America became the world's greatest debtor nation. At the end of 2007, the United States national debt was $8.7 trillion and growing by $600 billion a year. To float our economy, we borrow approximately $2 billion daily from foreign investors. It is estimated that every man, woman, and child in the United States would have to shell out $49,000 to pay off the United States' current debt.

Section 8, Clause 3

[Congress shall have power] To regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

Power to Contract With Non-Christian Nations

Clause 3 contains no stipulation for commerce with only Christian nations, as required under Yahweh's law:

But if thou shalt indeed obey his [Yahweh's] voice, and do all that I speak; then I will be an enemy unto thine enemies, and an adversary unto thine adversaries.... Thou shalt make no covenant with them, nor with their gods. (Exodus 23:22-32)

> Be ye not unequally yoked together with unbelievers: for what fellowship hath righteousness with unrighteousness? And what communion hath light with darkness? And what concord hath Christ with Belial? Or what part hath he that believeth with an infidel? And what agreement hath the temple of God with idols? For ye are the temple of the living God; as God hath said, I will dwell in them, and walk in them; and I will be their God, and they shall be my people. Wherefore come out from among them, and be ye separate, saith the Lord, and touch not the unclean thing; and I will receive you, and will be a Father unto you, and ye shall be my sons and daughters, saith the Lord Almighty. (2 Corinthians 6:14-18)

Section 8, Clause 3 paved the way for the General Agreement on Tariffs and Trade (GATT), the North American Free Trade Agreement (NAFTA), the North American Union (NAU), and other disastrous unbiblical trade agreements:

And Jehu the son of Hanani the seer … said to king Jehoshaphat, Shouldest thou help the ungodly, and love them that hate YHWH? Therefore is wrath upon thee from before YHWH. (2 Chronicles 19:2)

These passages also rule out any kind of foreign aid to non-Christian nations. To provide financial assistance to pagan nations may be a contravention of Yahweh's judgment of financial impoverishment on an ungodly or idolatrous nation. No amount of money can bail out a nation under Yahweh's judgment.

Section 8, Clause 4

[Congress shall have power] To establish an uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

Power to Unlawfully Integrate

In disregard of Yahweh's laws of segregation, the framers' vague language regarding naturalization and citizenship opened the door to integration, multiculturalism, and pluralism. (See Chapter 22"Amendment 13: Constitutional vs. Biblical Slavery" for additional information regarding Biblical laws concerning segregation, and Chapter 23 "Amendment 14: First-Birth vs. Second-Birth Citizenship" for additional information regarding constitutional versus Biblical citizenship.) This, in turn, has led to advocates of gods other than Yahweh ruling over us and legislating additional "laws" contrary to Yahweh's. (See Chapter 24 "Amendment 15: Colorblind Voting" for additional information regarding the consequences of integrated elections.)

Power to Implement Unbiblical Bankruptcy Regulations

In Deuteronomy 15:1-11, the Fourth Commandment's sabbatical year provides a seven-year bankruptcy provision, by which those unable to meet their financial obligations can be forgiven their debt. However, because the framers disregarded this Biblical provision, unbiblical bankruptcy regulations have been implemented in its place.

Section 8, Clause 5

[Congress shall have power] To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures.

Power to Fix Unjust Weights and Measures

Yahweh's law is specific regarding money and its standard of weights and measures. Any empowering of Congress to do the same was redundant, at best:

Just balances, just weights, a just ephah, and a just hin, shall you have: I am YHWH your God…. (Leviticus 19:36)

Granting this power to Congress gave them the means to corrupt this Biblical provision:

…the Act of Congress of February 25, 1862, as revised down to March 3, 1863, is still effective, declaring that "United States Notes shall be lawful money, and a legal tender in payment of all debts, public and private, within the United States, except for duties on imports and interest on public debt." It must be here noted that Federal Reserve Notes (FRNs) are only in the form of a note, no longer a promissory note, having no provision for redemption in lawful money [gold or silver], and are sustained in value as MONEY only by COMMON USAGE and

BELIEF. It is true FIAT MONEY. The new $100 “off center” Franklin bill issued in 1998 and the other “off center” bills issued since are no longer even against a Federal Reserve Bank, the Seal is that of the Federal Reserve System.[38]

The divine power to impute value to paper currency (creating something out of nothing) is additional evidence that WE THE PEOPLE, as represented by Congress, has usurped Yahweh as God. Because the United States economic system is based on nothing more than faith, it is essentially a religion. Once the populace figures out the worthlessness of their Federal Reserve Notes and stops believing in them, the economic system will collapse. Ominous signs indicate this inevitability may not be far off.

Section 8, Clause 7

[Congress shall have power] To establish post-offices and post-roads.

Power to Establish Monopolies

Monopolies are often misunderstood:

Being a single seller, by itself, is not good, nor evil – it depends on how one obtained that single-seller status. Did one obtain a monopoly by economic competition in the marketplace, or did one obtain it by political pull, i.e., lobbying? …The sole source of harmful monopolies is the government, which is the only agency that has the power to outlaw (i.e., regulate) competition. As evidence, witness the United States Post Office, which makes it illegal for anyone to charge less than 34¢ [44¢ today] for first class mail…. Other examples include the East India Company of the 17th and 18th centuries, the American Pacific Railroads of the 19th century, and the AMA’s monopoly over the prescription of medicine in the 20th [and 21st] century.[39]

When government legalizes a monopoly, it discriminates against, restricts, and even prohibits others from making a lawful living by the same means. Put simply, government-created monopolies are organized theft. The following passages condemn monopolies, in principle, including the United States Postal Service and the government’s ownership of America’s highway system:

Thou shalt not remove thy neighbour’s landmark, which they of old time have set in thine inheritance, which thou shalt inherit in the land that YHWH thy God giveth thee to possess it. (Deuteronomy 19:14)

> Woe unto them that join house to house, that lay field to field, till there be no place, that they may be placed alone in the midst of the earth! (Isaiah 5:8)

The establishment of the Postal Service was the first act of Congress by which unbiblical monopolies were authorized. The Postal Reorganization Act of 1970, also known as Public Law 91-375, changed the Postal Service into a self-supporting corporation owned by the federal government. Government has no business owning anything. Deuteronomy 19:3 provides for vital roads to be built (in this instance, to and from the cities of refuge), but it does not designate by whom. Because all land is to be held privately, it stands to reason that the roads are also owned privately and either opened to the public free of charge or operated as toll roads.

Section 8, Clause 11

[Congress shall have power] To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

Power to Engage in Unlawful Warfare

The power to declare war is a serious responsibility. Why were the framers so vague in defining the parameters of war and the conditions under which it could be declared? Section 8, Clause 11 is the only place of significance where warfare is mentioned in the Constitution. Little wonder this power has been abused. Luther Martin protested:

> …the congress have also a power given them to raise and support *armies*, without *any limitation* as to *numbers*, and without *any restriction* in *time of peace*. Thus, sir, this plan of government, instead of guarding against a standing army, that engine of arbitrary power, which has so *often* and so *successfully* been used for the *subversion* of *freedom*, has in its formation given it an *express* and *constitutional sanction*….[40]

John Quincy Adams predicted the consequences of America's international military entanglements:

> America … has abstained from interference in the concerns of others, even when the conflict has been for principles to which she clings…. Wherever the standard of freedom and independence has been or shall be unfurled, there will her heart, her benedictions, and her prayers be. But she goes not abroad in search of monsters to destroy…. She well knows that by once enlisting under other banners than her own, were they even the banners of foreign independence, she would involve herself beyond the power of extrication, in all the wars of interest and intrigue, of individual avarice, envy and ambition, which assume the colors, and usurp the standard of freedom. The fundamental maxims of her policy would insensibly change from *liberty* to *force*; the frontlet on her brow would no longer beam with the ineffable splendor of freedom and independence; but in its stead would soon be substituted an imperial diadem, flashing in false and tarnished luster, the murky radiance of dominion and power. She might become the dictatress of the world: she would be no longer the ruler of her own spirit.[41]

Because the framers provided no Biblical parameters, unbiblical warfare has been the rule ever since. Following is a list of the countries bombed by the United States since World War II:

- China: 1945-46; 1950-53
- Korea: 1950-53
- Guatemala: 1954; 1967-69
- Indonesia: 1958
- Cuba: 1959-60
- Vietnam: 1961-73
- Congo: 1964
- Laos: 1964-73
- Peru: 1965
- Cambodia: 1969-70
- Granada: 1983
- Libya: 1986; 2011
- El Salvador: 1980s

- Nicaragua: 1980s
- Panama: 1989
- Iraq: 1991-2001; 2003-09
- Sudan: 1998
- Afghanistan: 1998; 2003-09
- Yugoslavia: 1999.

From 1945 to the present, the United States has bombed nineteen different countries under the guise of defending America's sovereignty and promoting democracy. But America is none the better for it, and not one of these countries has become a legitimate democracy – not that this would be anything to celebrate. Something is amiss. Wars fought for political gain or financial profit can only be classified as ungodly acts of aggression. It would be prudent for today's presidents to learn from Kings Josiah's and Amaziah's tragic mistakes. Although they were both acclaimed as godly men by Yahweh, Josiah was killed (2 Chronicles 35:21-24) and Amaziah (2 Kings 14:8-14) was taken captive for their wars of aggression.

We often hear that we need to "fight them over there so we won't have to fight them over here." But fighting alleged enemies "over there" has not made American any safer and, in some instances, such acts of aggression have made America *less* safe.

Without the constitutional power to borrow, these and all subsequent ungodly wars could have perhaps been averted.

Biblical Warfare

Certain acts of warfare *are* Biblically justified. On numerous occasions in the Old Testament, Yahweh commanded His people to initiate war against ungodly nations. His law requires every able Israelite man, twenty years and older, to prepare for armed service:

> …YHWH spake unto Moses … saying, Take ye … from twenty years old and upward, all [men] that are able to go forth to war in Israel … number them by their armies. (Numbers 1:1-3)

This describes an autonomous militia, not a national standing army, national service, or military draft. Under King Saul, ancient Israel gave up this autonomy for a centralized standing army. The Constitutional Republic's standing army is part of the curse Yahweh warned the Israelites would accompany their enthronement of an earthly, human king:

> …This will be the manner of the king that shall reign over you: He will take your sons, and appoint them for himself, for his chariots, and to be his horsemen; and some shall run before his chariots. And he will appoint him captains over thousands, and captains over fifties; and will set them to ear his ground, and to reap his harvest, and to make his instruments of war, and instruments of his chariots. (1 Samuel 8:11-12)

Our young men *and women* have been taken and often sacrificed by today's military industrial complex. United States citizens are financing the destruction of their own sons and daughters in ungodly conflicts. It is often implied that if your country calls, it is your duty to serve regardless the cause. However, Yahweh prescribes strict rules of warfare for His people:

> When thou comest nigh unto a city to fight against it, then proclaim peace unto it. …[I]f it make thee [an] answer of peace … then it shall be, that all the people that is found therein shall be tributaries unto thee, and they shall serve thee. …[I]f it will make no peace with thee, but will make war against thee, then thou shalt besiege it…. When thou shalt besiege a city … thou shalt not destroy the [fruit] trees thereof … thou mayest eat of them, and thou shalt not

cut them down … to employ them in the siege: Only the trees which thou knowest that they be not trees for meat [fruit], thou shalt destroy and cut them down; and thou shalt build bulwarks against the city that maketh war with thee, until it be subdued. (Deuteronomy 20:10-20)

These and other Biblical rules of warfare determine the righteousness of a war. Untold numbers of people have been killed in wars fought in the name of Christianity, but few of these wars were Christian. If a military conflict waged in the name of Christianity is not Biblical, it is not Christian. More often than not, it is the departure from the Biblical rules of warfare that is responsible for the unjustified deaths in these "holy" wars.

Most Christians are oblivious to the United States' unbiblical warfare tactics, including the indiscriminate Agent Orange defoliation policy in Vietnam and the attack upon Iraq after George W. Bush spurned Saddam Hussein's peace offering. Only conflicts waged in legitimate defense of one's homeland are justified and godly. Christians must be cautious about sending their children to fight in America's military conflicts. Not only might their children be sacrificed for an unrighteous cause, Yahweh might very well consider soldiers in such campaigns to be murderers or accomplices to murder.

Section 8, Clause 15

[Congress shall have power] To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions.

Power to Provide and Call Forth a Militia

Except for the phrase "execute the laws of the union," the Constitution has finally provided something compatible with the Bible: a militia composed of able-bodied men for the defense of themselves, their families, their communities, and their nation.[42] However, Patrick Henry found good reason for concern with Congress' control over the militia:

> …this government … does not leave us the means of defending our rights, or of waging war against tyrants…. Have we the means of resisting disciplined armies, when our only defense, the militia, is put into the hands of congress?[43]

Section 8, Clause 18

[Congress shall have power] To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

Power to Unlimited Legislation

Do not miss the open-ended legislative power granted Congress. Despite the Constitutionalists' claims to the contrary, today's government *is* constitutional. Nearly every "law," which has and will be made, was made possible by this Clause. It might even be argued that this includes the much contested Fourteenth and Sixteenth Amendments. Although there are legitimate constitutional concerns regarding the manner by which both of those Amendments were passed, they have been accepted by every subsequent Congress, making them, in effect, constitutional law. That this Clause granted Congress almost unlimited power is proven in that it was vigorously contested for this very reason:

> There was no opposition or discussion in the Convention, but great opposition was made in the State conventions. Patrick Henry often speaks of it as "the sweeping clause," by which Congress was to overthrow the States. Those opposed to the Constitution assailed it with great vehemence, and endeavored, through the prejudice excited, to prevent the conventions of the States from ratifying the Constitution.... Mr. Madison says, "Few parts of the Constitution have been assailed with more intemperance than this...."[44]

This power was already inherent in the Constitution, even without this Clause:

> Writers on Constitutional Law agree that Congress would have had ample authority to make all laws necessary and proper for carrying into execution the powers vested in the general government by the Constitution, even if this clause had not been inserted. If the Constitution provides for a government, and invests it with powers, it follows as an unavoidable inference that the legislative department of that government can make the laws needful for carrying those powers into execution.... From the beginning of the government under the Constitution, laws have been enacted that could be justified only on the doctrine of implied powers.[45]

Without the parameters of Yahweh's morality as found in His commandments, statutes, and judgments, Section 8, Clause 18 becomes an open door to legislate almost anything. It places legislative decisions at the personal discretion (or indiscretion, as the case may be) of the Legislative and Judicial branches of the federal government.

Section 9, Clause 1

The migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808, but a tax or duty may be imposed on such importations, not exceeding ten dollars for each person.

Power to Profit from Slavery

This Clause was rendered obsolete on January 1, 1808, when Congress prohibited all further importation of slaves. However, slavery was nonetheless constitutionally legal for nearly twenty-one years with the proviso that a tax be imposed upon the sale of slaves. Although the Bible allows certain forms of slavery (see Chapter 22 "Amendment 13: Constitutional vs. Biblical Slavery"), it does not provide for a slave market from which government can profit. It is sometimes argued that because political changes do not occur overnight, the framers could not abolish such a longstanding institution immediately. This is probably true, but this argument does not justify the Constitution's provision to profit from it.

Section 9, Clause 2

The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

Habeas Corpus vs. Witnesses

Habeas corpus (Latin for "we command that you have the body" or "show the body") is meant to protect individuals against arbitrary government prosecution. In order to hold and prosecute an indicted criminal, plausible evidence must exist. However, with the exception of treason, the Constitution does not specify the nature of credible evidence. Yahweh's law, on the other hand, requires every indictment to be based upon the testimony of two or more credible witnesses (among other things[46]):

One witness shall not rise up against a man for any iniquity, or for any sin, in any sin that he sinneth: at the mouth of two witnesses, or at the mouth of three witnesses, shall the matter be established. (Deuteronomy 19:15)

Conclusion

Psalm 19:7-11 declares that Yahweh's commandments, statutes, and judgments are more desirable than gold. The framers obviously did not desire them because they replaced them with their own edicts.

…they that handle the law knew me not.... Hath a nation changed their gods, which are yet no gods? But my people have changed their glory for that which doth not profit.... For my people have committed two evils; they have forsaken me the fountain of living waters, and hewed them out cisterns, broken cisterns, that can hold no water. (Jeremiah 2:8-13)

Because Yahweh's law is perfect, endeavors to improve upon it, via human legislators, are attempts to dethrone our King and commandeer His throne. This is what happened in the Garden, at the Tower of Babel, and when the people chose Saul over Yahweh as their king. It is what has been attempted every time our forefathers rejected Yahweh's laws and chose man's laws to replace them.

Ephraim is oppressed and broken in judgment, because he willingly walked after the commandment [of men]. (Hosea 5:11)

In a lecture entitled "Law: The Biblical Foundations," constitutional attorney Herb Titus compared forming a government to building a ship:

Today if a man would build a ship to launch on the ocean according to his own views of the way ships ought to be built … and he didn't conform that ship to the laws that govern navigation, that ship would either sink or it wouldn't get very far. Why does man think he can build the ship of state according to his own imagination [and not on the laws of Yahweh] as to what governs human relationships, whether they be sexual, commercial, or whatever…?[47]

Too bad Titus did not apply this same standard to the Constitution.

The movie The Ten Commandments contains a personal introduction by director Cecil B. DeMille, in which he made a statement that is politically and, in many churches, religiously incorrect today:

The theme of this picture is whether men ought to be ruled by God's laws or whether they are to be ruled by the whims of a dictator like Ramses. Are men the property of the State or are they free souls under God? This same battle continues throughout the world today.[48]

Few people believe Yahweh has the monopoly on legislation. If Christians truly believed Isaiah 33:22, they would refuse to use the word "legislators" for yesterday's constitutional framers or today's senators and representatives. They certainly would not regard the unbiblical decrees of these "legislators" as law.

Know therefore this day, and consider it in thine heart, that YHWH he is God in heaven above, and upon the earth beneath: there is none else. Thou shalt keep therefore his statutes, and his commandments, which I command thee this day, that it may go well with thee, and with thy children after thee, and that thou mayest prolong thy days upon the earth, which YHWH thy God giveth thee, for ever. (Deuteronomy 4:39-40)

Click to order the *Bible Law vs. The United States Constitution* CDs:

- **The e-book (on CD) *A Christian Perspective on the U.S. Constitution***
- **The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)**

End Notes

1. Gideon J. Tucker, *New York Surrogate Reports* (New York, NY: New York Surrogate, 1866), p. 249, quoted in Suzy Platt, ed., *Respectfully Quoted*: *A Dictionary of Quotations* (New York: NY: Barnes & Noble, 1992) p. 198.

2. Noah Webster, *American Dictionary of the English Language*, s.v. "Legislator" (1828; reprint ed. San Francisco, CA: The Foundation for American Christian Education, 1967).

3. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

4. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

5. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

6. Gary DeMar, "Says Who?," *Biblical Worldview* (Powder Springs, GA: American Vision, March 2003) vol. 19, num. 3, p. 7.

7. T. Robert Ingram, *The World Under God's Law* (Houston, TX: St. Thomas Press, 1981) p. 33.

8. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, "The Third Commandment" may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

9. Richard Mosier, *The American Temper* (Berkeley, CA: University of California Press, 1952) p. 70.

10. David Barton, *Original Intent*: *The Courts*, *the Constitution*, *& Religion* (Aledo, TX: WallBuilder Press, 2005) p. 339.

11. W.W. Turner, *The Amazing Story of the British Sovereign* (Nashville, TN: 1970) p. 4, quoted in Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) p. 644.

12. Ron Paul's answer "it's too complex to me" was similar to Barack Obama's equivocating response to Rick Warren's question, "At what point does a baby get human rights?" Obama responded, "To answer that question with specificity is above my pay scale."

13. Ron Paul, interview by John Lofton, Summer 2007, http://www.youtube.com/watch?v=zIeW0DY64bE.

14. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book Baptism: All You Wanted to Know and More may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

15. President Ronald Reagan, 1987 State of the Union Address, Click for Link.

16. H.B. Clark, *Clark's Biblical Law* (Portland, OR: Binfords & Mort, 1943) p. 66.

17. The phrase "chosen by the legislature thereof" was changed by Amendment 17, Section 1 to "elected by the people."

18. Patrick Henry, Ralph Ketcham, ed., "Speeches of Patrick Henry (June 5 and 7, 1788)," *The Anti-Federalist Papers and the Constitutional Convention Debates* (New York, NY: Penguin Books, 2003, 2nd ed.) pp. 213-14.

19 In addition to Biblical judiciary, there would also need to be Biblically qualified men who would be responsible for applying Yahweh's law to arising situations: "Perhaps it would be more appropriate to refer to legislators as 'law finders' [or applicators] rather than 'law makers.' This would signify that their primary task is to search the Word of God for divine law on which to model the laws of the nation." Dennis Woods, *Discipling the Nations*: *The Government Upon His Shoulder* (Franklin, TN: Legacy Communications, 1996) p. 8.

20. Thomas James Norton, "The Constitution For the United States: Its Sources and Its Application: Article I" http://www.barefootsworld.net/constit2.html.

21. Henry, pp. 215-16.

22. "Salaries for members of congress, Supreme Court Justices, and the President," National Taxpayer's Union, Click for Link.

23. "Information on Congressional Retirement Benefits," National Taxpayer's Union, http://www.ntu.org/on-capitol-hill/pay-and-perks/information-on-congressional.html.

24. Abraham Lincoln, quoted in H.B. Clark, *Clark's Biblical Law* (Portland, OR: Binfords & Mort, 1943) p. 33.

25. Lysander Spooner, *No Treason*, *No. 7*, *The Constitution of No Authority*, http://praxeology.net/LS-NT-6.htm#.

26. Paul Hall, back cover of *Christian Duty Under Corrupt Government: A Revolutionary Commentary on Romans 13:1-7*, by Ted R. Weiland, 2nd ed. (Scottsbluff, NE: Mission to Israel, 2006). Christian Duty Under Corrupt Government may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $7 donation.*

27. Lysander Spooner, *No Treason No. 6: The Constitution of No Authority*,” http://praxeology.net/LS-NT-6.htm.

28. Jonathan Mayhew, “A Discourse Concerning Unlimited Submission and Non-Resistance to the Higher Powers,” quoted by John Wingate Thornton, *The Pulpit of the American Revolution: Political Sermons of the Period of 1776* (New York, NY: Da Capo Press, 1979) pp. 77-78.

29. Adam Clarke, *Clarke's Commentary*, 6 vols. (New York, NY: Carlton & Phillips, 1853) vol. 6, p. 147.

30. Thomas Jefferson, preamble to the Virginia Bill for Establishing Religious Freedom, 1789.

31. Henry, pp. 211-12.

32. Luther Martin, Jonathan Elliott, ed., *The Debates in the Several State Conventions, on the Adoption of the Federal Constitution*, 4 vols. (Washington, DC: Jonathan Elliott, 1836) vol. 1, p. 368 .

33. Patrick Henry refused to attend the Constitutional Convention, saying he “smelt a rat in Philadelphia.” Luther Martin became disillusioned and left the Convention without putting his signature to the document.

34. Richard C. Cook (a former U.S. federal government analyst), “A Master-Slave Society: Democrats in Denver Should Skip One of Their Parties and Read the American Monetary Act,” http://www.marketoracle.co.uk/Article5992.html.

35. James Jackson, *Annals of Congress*, Volume 1, February 1790, pp. 1141-42.

36. Rousas John Rushdoony, *The Nature of the American System* (Vallecito, CA: Ross House Books, 1965/2001) p. 169.

37. Thomas James Norton, “The Constitution For the United States: Its Sources and Its Application: Article I” http://www.barefootsworld.net/constit2.html.

38. Ibid.

39. “Monopoly,” www.self-gov.org/good/a0276.php.

40. Martin, p. 59.

41. John Quincy Adams, quoted in William H. Seward, *Life and Public Services of John Quincy Adams* (New York, NY: C.M. Saxton, Barker & Co., 1860) p. 132.

42. See Chapter 12 “Amendment 2: Constitutional vs. Biblical Self-Defense” for additional information regarding the Biblical mandate to bear arms.

43. Patrick Henry, quoted in William Wirt, *Sketches of the Life and Character of Patrick Henry*(Ithaca, NY: Andrus, Gauntlett, & Co., 1850) p. 195.

44. Israel Ward Andrews, *Andrews Manual of the Constitution* (Cincinnati and New York: Van Antwerp, Bragg & Co., 1887) pp. 132-33.

45. Ibid., pp. 132-35.

46. For a more thorough explanation of Yahweh's indictment requirements, "The Ninth Commandment" may be read online, or the book *Thou shalt not covet* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

47. Herb Titus, "Law: The Biblical Foundations," Disc 2, *God*, *Man*, *& Law*: *The Biblical Principles*(Powder Springs, GA: The American Vision, 2007).

48. Cecil B. DeMille, *The Ten Commandments*, Paramount Pictures, Hollywood, 1956.

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although there is a suggested price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 5
Article 2: Executive Usurpation

Section 1, Clause 1

The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of four years,[1] and, together with the Vice President, chosen for the same term, be elected….

The Executive Branch

As with every branch of the United States Constitutional Republic, the Executive Branch has greatly expanded since 1789:

…the President appoints 15 secretaries to preside over 15 executive departments: these individuals are referred to as the Cabinet. Additionally, there are over 60 other executive offices and independent agencies. …[T]he executive branch supervises all radio and television broadcasting in the U.S., administers nearly 40% of the nation's land area and its resources, oversees a network of health agencies, administers a national welfare program, provides federal relief for victims of natural disasters, supervises the distribution of atomic energy resources, and has a myriad of other responsibilities….[2]

If the United States Executive Branch were necessary, Yahweh[3] would have included it in His law. He did not provide for presidents and vice presidents because He, Himself, is everlasting King:

> For YHWH[4] is our judge, YHWH is our lawgiver, YHWH is our king…. (Isaiah 33:22)[5]

Because the constitutional framers did not acknowledge the United States Constitution's subordination to Yahweh and His sovereignty, Article 2 can only be understood as a rejection of Yahweh's executive authority and an attempt to usurp His executive power.

It would be interesting to catalog the consequences of presidential decisions. Most Americans living today (provided they have not been misled by his claim to Christianity) are familiar with some of George W. Bush's Biblical violations. And everyone is aware of Bill Clinton's sins in office. But what of the lives of past presidents? What of George Washington, who is extolled as one of America's greatest Christian[6] statesmen? What kind of President was he?

To discuss Washington may seem a departure from this book's primary objective, but because he was a key figure in the Constitutional Convention and the United States' first President, it is important to understand what kind of man he was. We find conflicting contemporary testimony regarding Washington's Christianity. Some say he was a Christian, while others – including his own pastor Dr. James Abercrombie – say he was not. One thing everyone agrees upon is that Washington never made a public confession of Christ as His Lord and Savior:

> Whosever therefore shall confess me before men, him will I confess also before my Father which is in heaven. But whosever shall deny me before men, him will I also deny before my Father which is in heaven. (Matthew 10:32-33)

Washington was indisputably a Freemason:

> Washington had served as Grand Master [actually Worshipful Master[7]] of the Alexandria [Virginia] lodge in 1788 and 1789. When he was inaugurated President of the U.S., he was therefore a Grand [Worshipful] Master, the only Mason to be inaugurated President while serving as a Grand [Worshipful] Master....
>
> As President, he ... never wavered in his attachment to Masonry. ...Washington wrote: "Being persuaded that a just application of the principles, on which the Masonic Fraternity is founded, must be promotive of private virtue and public prosperity, I shall always be happy to advance the interests of the Society, and to be considered by them as a deserving brother."....
>
> John Eidsmoe, in his book-length attempt to defend the Constitution as a Christian document, takes seriously Washington's outright lie – it can be nothing else – in a letter to G.W. Snyder in 1798, that he had not been in a Masonic lodge "more than once or twice in the last thirty years." One does not become the Grand [Worshipful] Master of a lodge by attending services once or twice over thirty years, but one can certainly fool two centuries of Christian critics by lying through one's wooden teeth about it.[8]

Washington, although hardly a Christian, was a Freemason of the rankest sort. "Testimony given by Timothy Bigelow in a eulogy before the Grand Lodge of Massachusetts two months after Washington's death indicates that Washington's Masonic experience was more than perfunctory."[9]:

> The information received from our Brethren who had the happiness to be members of the Lodge over which he presided for many years, and of which he died the Master, furnishes abundant proof of his persevering zeal for the prosperity of the Institution. Constant and punctual in his attendance, scrupulous in his observance of the regulations of the Lodge, and solicitous, at all times, to communicate light and instruction, he discharged the duties of the chair with uncommon dignity and intelligence in all the mysteries of our art.[10]

In *Founding Fathers*, Secret Societies, Robert Heironimus reported:

> In his letters and addresses to Masonic bodies, Washington repeated his profound esteem for their principles. In 1797, he addressed the Grand Lodge of Massachusetts: "My attachment to the Society of which we are all members will dispose me always to contribute my best endeavors to promote the honor and prosperity of the Craft."[11]

What about the other framers frequently referred to as great Christians?

> It is difficult for modern Americans to recapture the religious spirit of the country's great early leaders – George Washington, Thomas Jefferson, Benjamin Franklin, and their colleagues. The difficulty arises because these brilliant leaders, surely the most capable generation of statesmen ever to appear in America, were at once genuinely religious but not specifically Christian. Virtually all these great men had a profound belief in 'the Supreme Judge of the world' and in 'the protection of Divine Providence,' to use the words of the Declaration of Independence. Yet only a few believed in the orthodox teachings of traditional Christianity – that, for example, Christ's death atoned for sin, that the Bible was a unique revelation from God, or that the miracles recorded in the Scripture actually happened.[12]

Twenty-eight of the forty constitutional signers were Freemasons or had Masonic connections. Sixteen presidents and thirty-five Supreme Court Justices were Freemasons, the most notable being Chief Justice John Marshall (1801-1835), reputed to be the "Father of the Judiciary" and the "Great Expounder of the Constitution." Marshall served as Grand Master of the Virginia Masons from 1793 to 1795.

Freemason Sovereign Grand Commander Henry C. Clausen, in his book *Masons Who Helped Shape Our Nation* (commissioned for the Declaration of Independence's bicentennial), maintained that the Constitution was fashioned after Masonic government:

> …Freemasonry set the pattern in ideology and form. Since the Masonic federal system of organization was the only pattern for effective organization operating in each of the original Thirteen Colonies, it was natural that patriotic Brethren intent on strengthening the fledgling nation would turn to the organizational base of the Craft for a model. Regardless of the other forces that affected the formation of the Constitution during the Constitutional Convention in 1787, the fact remains that the federalism established in the civil government the Constitution created is identical to the federalism of the Grand Lodge system of Masonic government created in *Anderson's Constitutions* of 1723. In purpose as well as in form, the Constitution reflects Masonic influence. Freedom, justice, equity and fraternity are the four cornerstones of the symbolic Temple of Freemasonry, and the Constitution reveals these ideals in many phrases. [13]

The United States Capitol was built according to Masonic rituals:

> On the 15th day of April, 1791, the Hon. Daniel Carroll and Dr. David Stewart superintended the fixing of the first corner-stone of the District of Columbia, at Jones's Point, near Alexandria, where it was laid with all the Masonic ceremonies usual at that time.... On the 18th of September, 1793, the southeast corner-stone of the Capitol was laid by [President] Washington, with Masonic and Christian services and military demonstrations....[14]

David Barton minimizes the framers' Masonic connections (as do nearly all Christian Constitutionalists), pointing out that there were differences between the Masonry of their day and our own. Masonry has evolved, but not enough to dismiss the framers' Masonic connections. Many of Freemasonry's most disconcerting aspects (many of which were borrowed from the antichristian Babylonian Talmud[15]) were in full force in the framers' day:

its self-maledictory oaths (not to Yahweh, His Word, or Christianity, but to the Masonic fraternity), its toleration of polytheism, its secular and humanist ethics, and its promotion of gender equality:

> The Freemasonry of the 1700's is still basically the same [as that of today]. The concept of the Enlightenment period has not changed. What Masons of that day believed, so do the Masons of today. Freemasonry was not radically different.... [A]nti-Masons … cannot … explain why such great men as Washington, Lafayette and Paul Revere were members. …the basic beliefs of the fraternity are the same.[16]

Freemasons do not meet the criteria of true Christians:

> Of course Christians can pray in lodge! What they may not do is offer a specifically Christian prayer as Lodge prayer, any more than a Jew or Muslim may offer a prayer specific to his religion. The reason for this is that it is the custom of Masonry to require all to participate and assent to Lodge prayer. How can it be proper for a Christian to require non-Christians to assent to a prayer peculiar to his own peculiar belief? No Christian would assent to a prayer offered by a Jew or Muslim which essentially denied the doctrine of the trinity. Because Lodge acts in unison, prayers offered in Lodge must be of a nature that will be agreed to by all.
>
> To be sure, some Christians believe that only prayers given in a particularly Christian form are truly prayers. These people cannot become Freemasons because they do not subscribe to the principles of religious toleration required of Masons.[17]

In other words, any "Christian" Freemason, such as Washington, had to reject Christ's exclusionary declaration in order to be a Freemason:

> Jesus saith unto him, I am the way, the truth, and the life: no man cometh unto the Father, but by me. (John 14:6)

That Freemasons and antichrists, such as Washington and Jefferson (who cut the virgin birth, miracles, resurrection, and ascension of Christ – what he described as a "dunghill" – out of his cut-and-paste New Testament[18]), could be elected President speaks volumes of the non-Christian character of the Constitution.[19]

> The Framers at the Constitutional Convention issued a death warrant against Christianity, but for tactical reasons, they and their spiritual heirs refused for several generations to deliver it to the intended victims. They covered this covenantal death sentence with a lot of platitudes about the hand of Providence, the need for Morality, the grand design of the universe, and similar Masonic shibboleths. [20]

Even if some of the framers were genuine Christians, they doomed their divided house to eventual destruction when they unequally yoked themselves with those who were not Christians. George Washington's involvement with Freemasonry is only the beginning of presidential transgressions. Their sins and impositions upon the American people have grown steadily because the framers refused to believe Psalm 19:7, Isaiah 33:22, etc.

Presidents, vice presidents, and their tax-paid cabinets and staffs are superfluous. This will initially be difficult to accept for the average American who cannot fathom government without a human executive leader. However, no executive branch except for Yahweh's Kingship existed in America before 1788. The nation functioned without a president and vice president:

> Their [the Puritans'] form of government was as strictly theocratical insomuch that it would be difficult to say where there was any civil authority among them distinct from ecclesiastical jurisdiction. Whenever a few of them settled a town, they immediately gathered themselves into a church; and their elders were magistrates, and their code of laws was the Pentateuch.... God was their King; and they regarded him as truly and literally so....[21]

Christian Presidents

An email that began circulating during Barack Obama's presidential campaign asked the question, "Can a Muslim be a good American President?" Thanks to Article 6 and Amendment 1, the answer is "yes" (with the debatable exception of the word "good"). However, the more important question is, can a *Christian* be a United States President? How can a Christian – whose allegiance is to Yahweh alone – swear to uphold a Constitution adversarial to His morality as found in His commandments, statutes, and judgments? How can a Christian impartially represent WE THE PEOPLE, the vast majority of whom are indifferent or antagonistic to Yahweh, His kingdom, and His will? How can a Christian preside over a government that promotes pluralism, polytheism, infanticide, sodomy, and multiculturalism?

> Blessed is the man that walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful. But his delight is in the law of YHWH; and in his law doth he meditate day and night. (Psalm 1:1-2)

When today's Christians finally re-establish Yahweh's government (as in the days of the Puritans), the only executive branch will be the one described in Isaiah 33:22, in which Yahweh is King and His judges adjudicate according to His law.

Term Limits

Article 2 provides four-year terms for presidents. Amendment 22 limits presidents to two terms. Most people would concede term limits are a good thing when evil men rule. But the question Christians should be asking is whether term limits are Biblical. Consider Solomon's wisdom:

> For the transgression of a land many are the princes thereof: but by a man of understanding and knowledge the state thereof shall be prolonged. (Proverbs 28:2)

Yahweh intends the term of a ruler who keeps His law to be protracted:

> And it shall be, when he sitteth upon the throne of his kingdom, that he shall write him a copy of this law in a book ... that he turn not aside from the commandment, to the right hand, or to the left: to the end that he may prolong his days in his kingdom.... (Deuteronomy 17:18-20)

The Constitution provides that the United States be ruled by ruler after ruler, which is part of Yahweh's judgment against our sinful nation. Although term limits prevent corrupt officials from serving *any longer* than their terms allow, they permit them to serve *as long as* their terms allow. Term limits are a Band-Aid on a self-inflicted wound. Under Yahweh's law, provided a man remains Biblically qualified and mentally capable, he would not need to be removed from his bench. Only when a judge – for whatever reason – becomes Biblically unfit, should his term end.

Elections

> …the community put the legislative power into such hands as **they** think fit….
>
> John Locke[22]

Article 2 provides for the election of presidents. Voting has for so long been promoted as one of the United States' foundational and inviolable rights that it is sacrosanct to most Americans. To question the legitimacy of elections is almost tantamount to sedition – even in the eyes of the average Christian. Many Christians contend that voting is a god-given right, and it *is* a right – under the god WE THE PEOPLE. Regrettably, even pronomian and anti-Constitutional author Gary North promotes elections and juries as if they are Biblically ordained activities:

> God's civil covenant places judicial boundaries around the voting booth, the jury room, and civil magistrate's office. To violate these boundaries is to commit revolution or treason against God.[23]

It is true that Yahweh has placed judicial boundaries around the civil magistrate's office, as demonstrated in the list of Biblical qualifications provided later in this chapter. However, in order for judicial boundaries to surround the voting booth and the jury room, Yahweh's civil covenant must first offer a Biblical mandate *for* the voting booth and the jury room. Yahweh offers no such mandates. (See Chapter 6 "Article 3, Judicial Usurpation" for information regarding the unbiblical nature of juries.)

North later declared that "biblical theocracy in every area of life can and should come through majority vote or acceptance."[24] This presumption theoretically puts Yahweh and His government under the control of a non-Christian majority until enough people can be won to Christ and taught His laws. Of course, these Christians must then vote in a majority bloc, *hopefully* for the right men. The Bible offers no record of Yahweh ever using a majority vote to establish His government.

North also stated, "Christians may vote either liberal or conservative, Democratic or Republican, but they must … vote biblical."[25] This sounds like a good idea, but who was the last liberal, conservative, Democrat, or Republican who was Biblical? Christians who are Biblical do not vote.

Rival Kingdoms

Any government that fails to promote Yahweh's kingdom is a rival, and even hostile, kingdom that Yahweh intends to abolish (Isaiah 9:6-7, Daniel 2:37-44, etc.).

> No matter what the form of government is, the Bible doesn't advocate anything but a theocracy. Any [other] form of government is going to self destruct because you're dealing with corrupt people….[26]

If left to themselves and their inherently flawed laws and policies, the leaders of men's governments will inevitably become more and more ungodly, leading to the ultimate destruction of the governments they represent:

> Shall the throne of iniquity have fellowship with thee, which frameth mischief by a law?… And he [Yahweh] shall bring upon them their own iniquity, and shall cut them off in their own wickedness; yea, YHWH our God shall cut them off. (Psalm 94:20, 23)

Ironically, short-sighted Christians are found resisting and even contesting Yahweh's objective. They want to intervene and "save" the competing kingdom by electing "better" men into office. As a result, the demise of the competing kingdom is prolonged, and, in the practical sense, Yahweh's kingdom here on earth is postponed that much longer.

Christians may be praying for Yahweh's will and kingdom here on earth as it is in heaven, but by voting for their "better" man, they are promoting and toiling for a rival kingdom. If you are a Christian who participates in unbiblical elections, the best thing you can do for Yahweh's kingdom is to vote the *worst* candidate into office. The quicker this government falls, the quicker Yahweh's government can be reinstated.

Because Americans are inundated with propaganda declaring it unpatriotic not to vote, the recommendation that Christians not participate in elections is often met with hostility. Are we more concerned about being un-American or being unbiblical?

In addition to the continual brainwashing about how fortunate we are to have free elections, one of the reasons most Christians believe so strongly about protecting their right to vote is few of them have ever challenged elections from a Biblical paradigm. Some people attempt to use Jethro's counsel to his son-in-law Moses as the Biblical precedent for elections:

> Moreover thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness; and place such over them, to be rulers of thousands, and rulers of hundreds, rulers of fifties, and rulers of tens. (Exodus 18:21)

What is described here was not a popular election; it was a nomination of qualified men for Moses to appoint. An election is not necessary to select Biblically qualified men. Men either are Biblically qualified or they are not. Popularity determines elections; Biblical qualifications determine appointments. To assume Jethro's instructions called for elections is just that – an assumption. Jethro's counsel called for the appointment of rulers (elders) who would be judges, not the election of men or women who would be presidents. Among other things, an appointed leader must:

- Be a man.[27]

- Be a Christian.[28]
- Be an Israelite.[29]
- Fear Yahweh, not man.
- Be schooled in Yahweh's law.
- Write out his own copy of Yahweh's law.
- Read Yahweh's law daily.
- Observe Yahweh's law in his own life.
- Be humble.
- Be honest.
- Be just.
- Be impartial in judgment.
- Be immune to bribery.
- Be neither greedy nor covetous.
- Be a terror to the wicked and a champion of the righteous. [30]

Even if a man meets all of these qualifications, he still may be ineligible if his wife and children fall short. A judge must be the head of his own home and have a dignified, non-gossiping, sober, faithful wife and faithful, submissive children. In Romans 13, the Apostle Paul describes such men as "ministers [servants] of God to thee for good." This is *not* a description of politicians provided through elections, regardless their political affiliation.

Despite their promotion of elections, a few 18th-century men, Noah Webster among them, understood the importance of having godly men as rulers over society:

> …let it be impressed on your mind that God commands you to choose for rulers just men who will rule in the fear of God. …[I]f the citizens neglect their duty and place unprincipled men in office, the government will soon be corrupted; laws will be made not for the public good so much as for selfish or local purposes; corrupt or incompetent men will be appointed to execute the laws; the public revenues will be squandered on unworthy men; and the rights of the citizens will be violated or disregarded. If a republican government fails to secure public prosperity and happiness, it must be because the citizens neglect the Divine commands and elect bad men to make and administer the laws.[31]

In other words, a Republican government's only hope of success is if a minority of Christians (Matthew 7:14) are somehow elected by a majority of non-Christians (Matthew 7:13).

The Lesser of Two Evils or the Evil of Two Lessers

> It is better to trust in YHWH than to put confidence in man. It is better to trust in YHWH than to put confidence in princes. (Psalm 118:8-9)

Helen Keller once said, "We vote, what does that mean? It means that we choose between two bodies of real, though not avowed, autocrats. We choose between Tweedledum and Tweedledee."[32] The election process has not only programmed Americans to put their trust in "princes," but to accept the lesser of two evils. Or is it the evil of two "lessers"? That this is true of most Christians was demonstrated in the 2008 Presidential election:

> At a meeting Tuesday [July 1, 2008] in Denver, about 100 conservative Christian leaders … agreed to unite behind the candidacy of John McCain, a politician they have long distrusted.… Phil Burress … said … "I was once one of those people who said 'no way' to Sen. John McCain as President. No longer, the stakes are too high. And if Obama wins I need to be able to get up on November 5th, look at myself in the mirror, and when I pray, say, 'Lord, I did all that I could."[33]
>
> "The alternative is so bad we must support John McCain," said Phyllis Schlafly.… One participant said he couldn't imagine anything worse. "Obama has done the impossible," he said, "He's made Hillary Clinton look good to Christian conservatives."[34]

This occurred because – unlike Yahweh's system, which provides for the appointment of the best of the best – the Constitution compels people to (hopefully) elect the best of the worst. It also necessitates political parties that are not only unbiblical but whose platforms are invariably ungodly. Political parties are the mechanism by which Christian constituents are offered up on the altar of WE THE PEOPLE.

After every election, regardless who's elected, Americans eventually have cause for regret (Proverbs 29:2). And yet, every four years, they march right back to the voting booths with eternal hope (or is it merely short-sightedness?) and do it all over again. Elections provide us with a lose-lose proposition. On the other hand, when we have two or more Biblically qualified candidates, we end up with a servant of God, regardless who's appointed.

Who Does the Appointing?

Gary DeMar claimed, "We see democracy in the election of Israel's kings (Deuteronomy 17:14-20)."[35] Nothing could be further from the truth:

> When thou art come unto the land which YHWH thy God giveth thee, and shalt possess it … and shalt say, I will set a king over me … thou shalt in any wise set him king over thee, whom YHWH thy God shall choose.… (Deuteronomy 17:14-15)

In verse 15, the Israelites were instructed to select leaders predicated upon "whom YHWH thy God shall choose." Verses 9 and 10 specify the same for judges. But how do we determine Yahweh's choice? This is accomplished by casting lots, just as the eleven apostles did in Acts 1:

> And they appointed two, Joseph called Barsabas … and Matthias. And they prayed, and said, Thou, Lord, which knowest the hearts of all men, shew whether of these two thou hast chosen, that he may take part of this ministry and apostleship.… And they gave forth their lots; and the lot fell upon Matthias; and he was numbered with the eleven apostles. (Acts 1:23-26)

Although Yahweh had revealed to Samuel His choice of Saul as Israel's first king, in 1 Samuel 10, He used lots to make known His choice to the people:

> And when Samuel had caused all the tribes of Israel to come near, the tribe of Benjamin was taken [by lots]. When he had caused the tribe of Benjamin to come

> near by their families, the family of Matri was taken, and Saul the son of Kish was taken… And Samuel said to all the people, See ye him **whom YHWH hath chosen**…. (1 Samuel 10:20-24)

By praying and casting lots, we put the decision in the hands of Yahweh, who looks to the heart of each man:

> …YHWH seeth not as man seeth; for man looketh on the outward appearance, but YHWH looketh on the heart. (1 Samuel 16:7)

Before lots are thrown, a man must first aspire to the position of judge (1 Timothy 3:1). An opportunity would then be presented to the brethren to raise objections regarding his Biblical qualifications. If no one raises legitimate objections, the man's name is put forward with other qualified candidates, and, following prayer, lots are thrown so Yahweh's choice may be determined.

> The lot is cast into the lap; but the whole disposing thereof is of YHWH. (Proverbs 16:33)
>
> The lot causeth contentions to cease, and parteth [decides, NASB] between the mighty. (Proverbs 18:18)

In *Contending for the Constitution*, Mark Beliles and Douglas Anderson quote John Jay, who in a futile attempt to make elections Biblical, distorts Yahweh's means of selection:

> The freedom to choose one's representatives is not an American invention, but a Divine plan for godly government…. John Jay, author of a portion of the Federalist Papers and the country's first Chief Justice of the Supreme Court, made this observation: "Providence has given to our people the choice of their rulers, and it is the duty as well as the privilege and interest of our Christian nation to select and prefer Christians for their rulers."[36]

Jay's statement contains two glaring errors. First, as we have already seen in Deuteronomy 17:15, Providence (Yahweh) has not given the people the choice (election) of their rulers. Yahweh requires we appoint the man *He chooses*. Secondly, under the New Covenant, Yahweh does not *prefer* Christians, He *demands* Christians as rulers (judges) in His government (Romans 13:3-4, 1 Corinthians 6:1-5, etc.).

By Yahweh's means of appointment, man does the selecting and Yahweh does the electing. The term "election" is actually a Biblical expression, referring to Yahweh's choice of leaders. Man has hijacked the term and replaced Yahweh's means of election with his own, by which (we hope) the better man, rather than Yahweh's *best* man, is chosen.

The Constitutional Republic's surrogate election process is essentially no different from what occurred in Numbers 14 after the Israelites refused to go in and take possession of the land of Canaan. Verse 4 informs us that they clamored for a leader of their own choosing. Nehemiah 9:17 aptly depicts their substitute plan: "[The Israelites] refused to obey … but hardened their necks, and in their rebellion appointed a captain to return to their bondage…." History has demonstrated that the Constitutional Republic's election process has produced spiritual, political, and economic bondage for Americans. Simply put, with men's elections we lose, and with Yahweh's elections we win.

As subjects of the King of kings, our duty is *not* to elect a candidate from a political party (including, and perhaps especially, the Constitution Party). Our duty is to establish Yahweh's judicial system and appoint men who fear Him and who will enforce His law rather than constitutional law.

Criminal Accomplices

Voters become accomplices to the crimes of those they elect. Paul warned Timothy of one of the consequences of impulsive appointments:

> Do not lay hands upon anyone too hastily and thus share responsibility for the sins of others; keep yourself free from sin. (1 Timothy 5:22, NASB)

Two verses later, Paul warned that "the sins of some men are quite evident, going before them to judgment; for others, their sins follow after." Because no man can look into the heart of another man, voters often do not know what sins they are participating in until after the election – often long after the election. For example, on August 4, 2010, Chief U.S. District Judge Vaughn R. Walker overturned California's Proposition 8, known as "California's Marriage Protection Act," (which declares that "only marriage between a man and a woman is valid or recognized in California"), paving the way for sodomites like himself to "marry" one another. Vaughn was appointed to the bench in 1989 by President George H.W. Bush. Christians who helped elect the "conservative" Bush into office are therefore accomplices to this wickedness.

Empowering the Deity

Elections embody an even more inherent evil. Namely, to be a viable god, WE THE PEOPLE must demonstrate power in some fashion. How is this accomplished? The power of most false gods resides in the minds of those who worship them. With the deity WE THE PEOPLE, however, the people are able to demonstrate actual power. The word "democracy" is derived from the Greek words *demo*, meaning "people" and *kratos*, meaning "power". Democracy literally means "people power." This people power is constitutionally demonstrated in two ways: through elections and juries. Through these two means, WE THE PEOPLE finds its voice and becomes a viable god, in defiance of Yahweh:

> There could ultimately be no appeal beyond the sovereign will of the voters. The People as a collective unit are best represented by the voters. The People collectively are originally sovereign ... ultimately the voters are sovereign. The People speak through the voters.[37]

Some people protest that the United States government is not a democracy but a republic. There is little difference between the two:

> democracy ... 1. a government by the people; a form of government in which the supreme power is vested in the people and exercised directly by them or by their elected agents under a free electoral system....[38]

> republic … 1. a state in which the supreme power rests in the body of citizens entitled to vote and is exercised by representatives chosen directly or indirectly by them….[39]

Republicanism is just another form of people power, expressed through a majority vote. *Vox populi vox dei* (“the voice of the people, the voice of god”) is the rallying cry of the Constitution, republicanism, democracy, and humanism. What happened to the rallying cry of the American revolution – “no king but Jesus”?

Constitutionalists often contrast the divine right of kings with the divine right of the people:

> King Charles II beheaded Algernon Sidney in 1683 for saying that there is no divine right of kings to rule over the people. Sidney insisted that the right to rule is actually in the people and therefore no person can rightfully rule the people without their consent [or vote].[40]

The only difference between the divine right of kings and the divine right of the people is the number of people involved. Whether ruled by one or many, it is still humanism. The “divine right” of the people to elect whomever they wish replaced not only the divine right of kings and parliament, but also the divine right of Yahweh as God, King, Judge, and Lawgiver. James Wilson, one of Pennsylvania’s delegates to the Constitutional Convention, labeled this divine attribute “sovereignty”:

> Election is the exercise of original sovereignty in the people….[41]

There is only one Sovereign and it is certainly *not* the people:

> …He who is the blessed and only Sovereign, the King of kings and Lord of lords…. (1 Timothy 6:15, NASB)

In a *Born Loser* cartoon by Art and Chip Sansom, Brutus Thornapple asks a bum at the bus stop, “Have you decided who you’re going to vote for in the election?” The bum replies, “Oh, I never vote; I find it only encourages them.” It not only encourages them, it empowers them. Participating in elections is participating in sedition against Yahweh.

The Christian Electorate

Most Christians do not understand the Biblical ramifications of elections, particularly concerning their part in the selection of “legislators.” Whoever makes a nation’s laws is ultimately the god of that nation. If only Christians were elected, but they still enacted laws contrary to the Bible (which today’s antinomian Christians would inevitably do), they would be just as responsible for enthroning WE THE PEOPLE as are today’s non-Christian electorate. Christians, through elections, help determine the direction or course of their communities, states, and nation – but not for the ultimate good. America’s voting history demonstrates that elections have produced men and women who are progressively more unbiblical and ungodly.

The Christian electorate inevitably endorses, authorizes, commissions, and empowers the false god WE THE PEOPLE and its kingdom and laws. In every election, Christians put their confidence in a man rather than in Yahweh. Every four years, most "conservative" Christian ministries encourage their flocks to empower the false deity WE THE PEOPLE. Consider the following from Dr. James Dobson:

> …let me take a moment to remind you about the national election that is rapidly approaching.… Unfortunately, millions of Christians are unlikely to vote again this year. That is disgraceful![42]

Where did Dobson get the authority to say it is disgraceful to reject participation in the election process? Dr. Rick Scarborough of Vision America took it one step further when he declared, "For a Christian not to vote is a sin."[43] According to 1 John 3:4, sin is a transgression of Yahweh's law. Which of Yahweh's laws requires voting? Following is how Kenneth Copeland expressed Christians' responsibility to vote:

> As the Body of Christ, we have great authority in the kingdom of heaven and in the things of God. It may come as a shock to many to learn that even though politicians will have to answer to God for what they do, the Body of Christ will also be held responsible [for not voting]….[44]

Will the body of Christ answer to Yahweh because they do *not* participate in the election process? In view of the unbiblical implications of elections, Christians will more likely be judged *for* their involvement. Copeland intensified the guilt with the mantra "people have suffered and died so we could have that right [to vote]."[44] Has there been even one military conflict since the ratification of the Constitution in which American citizens' right to vote was in jeopardy? Voting was not an issue even in America's War for Independence, fought thirteen years before the Constitutional Convention. Copeland went on to say, "not voting is the same as casting a vote for the wrong side."[44] Because not all Christians vote for the same candidate, some of those who vote "vote for the wrong side." In reality, to participate in elections is to vote against Yahweh and His kingdom.

How about "voting out all the rascals" as some people suggest? Even if this were plausible, it would only result in a new batch of rascals who would need voting out in the next election. We cannot fix the system by perpetuating the system. We cannot bring about Yahweh's kingdom here on earth by voting the opposition into office – regardless their merits. In the end, elections are a political shell game that diverts the attention of the people from the real solution. Copeland audaciously continued:

> Your Holy Spirit-directed ballot is a powerful seed. When you vote in faith, in obedience to God, your household will be protected. God will take care of you no matter who is in office or what is happening in the world. So don't fear.[44]

What is a "Holy Spirit-directed ballot"? How can it be directed by the Holy Spirit when not all Christians cast the same vote? Would this not make the Holy Spirit double-minded? The result of Christian voting is more likely to be a fulfillment of Jesus'[45] declaration in Matthew 12:25 that "every kingdom divided against itself is brought to desolation; and every city or house divided against itself shall not stand."

Copeland claimed that if Christians vote, their households will be protected. How does he justify this to the parents who elected George W. Bush and then lost their sons and daughters in the ungodly conflicts in Iraq and Afghanistan?

Even pronomians often promote voting for constitutional candidates, sometimes without any mention of Christian principles or even a Biblical caveat:

> Christians must elect representatives who will abide by the Constitution, not only in word but in deed. All candidates running for public office should be required to take a comprehensive test on the Constitution with the results of the test published so all can see that they really know and understand the Constitution they will swear to uphold.[46]

It is difficult for me to imagine any Christian endorsing candidates who would abide by a document antithetical to Yahweh's morality and antagonistic to His sovereignty. Instead, appointees should be considered and tested based upon Biblical qualifications.

In an article entitled "Hold Your Nose and Vote," Lenny Cacchio summarized many Christians' position, "Until the kingdom of God comes, we must suffer the fools and be grateful for the occasional statesman." He added, "I have accepted that this is the way of the world, a mixture of desirable and undesirable traits of fallible humans. And I know that is the way it will be until the King of kings decides it is time to change it."[47] Here we have the crux of the problem: Christians have given up conducting their lives Biblically because they are either waiting for the return of their King to make things right or they are waiting for the rapture to whisk them off to heaven. I contend that Yahweh is waiting on us to make things right. After all, we are the ones who have made a mess of things.

On November 3, 2004, popular public radio host Garrison Keillor said the following:

> I am now chairman of a national campaign to pass a constitutional amendment to take the right to vote away from born-again Christians. Just a little project of mine. My feeling is that born-again people are citizens of heaven; that is where their citizenship is, in heaven, it's not here among us in America.[48]

This statement was followed by much laughter and applause – and much indignation from Christians. However, real Christians would have *concurred* with Keillor. Christians have no business participating in elections produced by a system in opposition to Yahweh and His kingdom. Some people will consider this abandoning the nation to Yahweh's enemies. In reality, it is the Christian electorate that is condemning us to non-Christian control in a non-Christian system. America cannot elect her way out of her problems; she must repent her way out.

Rather than playing the shell game every few years, Christians should put the same effort and money into establishing Yahweh's kingdom here on earth. One of the principal means of doing this is helping to educate Christians about their constitutional idolatry.

Section 1, Clause 8

> Before he enter on the execution of his office, he shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

An Atheistic Oath

> Thou shalt fear YHWH thy God, and serve him, and shalt swear by his name. (Deuteronomy 6:13)

Supreme Court Justice James Iredell (1790-1799), and some of his contemporaries, believed an oath, regardless whether it was taken in the name of Yahweh, was a "solemn appeal to the Supreme Being."[49] However, not everyone at the time the Constitution was framed viewed it the same way. The lack of any mention of Yahweh in the presidential oath was vehemently contested in the State's ratifying conventions. Because the Constitution failed to specify Yahweh in its oaths, few of today's government officials regard oaths in the same light Iredell did. As early as 1796 when oaths still retained an appeal to the Supreme Being, they were already inclusive of gods other than Yahweh, as attested by United States Representative Zephaniah Swift:

> All persons who believe in the existence of a God, **let their religion be what it will**, may be admitted to be witnesses. An oath is a solemn appeal to the Supreme Being that he who takes it will speak the truth, and an imprecation of His vengeance if he swears false.[50]

This polytheistic inevitability was the consequence of Amendment 1's freedom of religion provision. In 1844, Daniel Webster testified before the Supreme Court regarding the pluralism of constitutional oaths:

> What is an oath? …[I]t is founded on a degree of consciousness that there is a Power above us that will reward our virtues or punish our vices…. We all know that the doctrine of the … law is that there must be in every person who enters court as a witness, be he Christian or Hindoo, there must be a firm conviction on his mind that falsehood or perjury will be punished either in this world or the next or he cannot be admitted as a witness.[51]

Because the presidential oath does not appeal to Yahweh, it is essentially atheistic. It contains nothing by which presidents can be held to their word:

> The oath of the President of the United States could as well be taken by a pagan or a Mahammedan [sic] as by the Chief Magistrate of a Christian people: it excludes the name of the Supreme Being. Indeed, it is negatively atheistical, for no God is appealed to at all. In framing many of our public formularies, greater care seems to have been taken to adapt them to the prejudices of the infidel few than to the consciences of the Christian millions. In these things the minority in our country has hitherto managed to govern the majority. We look on the designed omission of it [the name of God] as an attempt to exclude from civil affairs Him who is the governor among the nations.[52]

On November 26, 1873, at the National Convention to amend the Preamble, Pastor E.R. Craven noted the following:

> On Tuesday next another inauguration is to take place. President Grant may, if he so choose, appeal to God; but even as he takes the oath required, he may proclaim himself an atheist, and there is no power on earth that can stay his inauguration. The Constitution does, in terms, require an oath, but by the proviso quoted it degrades it to the low platform of a solemn promise – the oath that it requires is emasculated.[53]

Nearly all of the presidents have taken their oath of office by placing their hands upon a Bible. But this empty tradition is nowhere required in the Constitution. Even if this custom were spiritually significant for some of the presidents, it was a meaningless ritual for the majority of them. How could swearing upon a Christian Bible be meaningful to these men when Christianity itself means nothing to them?

Swearing upon the Bible is an empty gesture for an even more important reason. If ever there were an unequal yoking, it is when public officials place their hands on the Bible and swear to uphold the laws of WE THE PEOPLE. This no more Christianizes the oath than Aaron's naming the golden calf "Yahweh" sanctified his idolatry. The Bible offers no precedent for swearing to uphold any other law than Yahweh's. Swearing in Yahweh's name, or swearing on the Bible, means nothing to Him if you simultaneously swear to keep the laws of another god. This is treason and sedition against the God of gods and King of kings.

> Be ye therefore very courageous to keep and to do all [commandments, statutes, and judgments] that is written in the book of the law of Moses, that ye turn not aside therefrom to the right hand or to the left; that ye come not among these nations … neither make mention of the name of their gods, nor cause to swear by them, neither serve them, nor bow yourselves unto them: But cleave unto YHWH your God…. (Joshua 23:6-8)

An Impotent Unbiblical Oath

In order to be Biblical, an oath must be sworn in Yahweh's name:

> Thou shalt fear YHWH thy God; him shalt thou serve, and to him shalt thou cleave, and swear by his name. (Deuteronomy 10:20)

This oath necessitates that only those who fear, serve, and cling to Yahweh are qualified to hold leadership positions in Yahweh's government. No greater oath exists than this:

> …when God made promise to Abraham, because he could swear by no greater, he sware by himself. (Hebrews 6:13)

The restriction in Article 6 that "no religious test shall ever be required as a qualification to any office or public trust under the United States" eliminates any possibility that this oath might be required for civil leadership. The national constraints against Christian qualifications in Article 6 eventually led to the nullification of all state oaths to the contrary.

Swearing in Yahweh's name places a person under Yahweh's jurisdiction and judgment:

> For men swear by one greater than themselves, and with them an oath given as confirmation is an end of every dispute. (Hebrews 6:16, NASB)

In order for such an oath to end every dispute, it must be self-maledictory – that is, one in which the person calls down a curse upon himself if he does not uphold his oath. An example of a self-maledictory oath can be found in Nehemiah 10:

> …their nobles … **entered into a curse, and into an oath**, to walk in God's law … and to observe and do all the commandments of YHWH our Lord, and his judgments and his statutes…. (Nehemiah 10:29-30)

Unlike the vast majority of oaths, which are broken whenever it is advantageous, the oaths taken in Nehemiah's day actually meant something. Maledictory oaths taken in the name of Yahweh place the oath taker under the curse of Yahweh if he does not uphold his oath:

> An outward pledge given by the person taking it that his attestation or promise is made under an immediate sense of his responsibility to God…. The term has been variously defined: as, "a solemn invocation of the vengeance of the Deity upon the witness if he do [sic] not declare the whole truth, so far as he knows it;" … or "religious asseveration by which a person renounces the mercy and imprecates the vengeance of Heaven if he do not speak the truth" … or "a religious act by which the party invokes God not only to witness the truth and sincerity of his promise, but also to avenge his imposture or violated faith, or … to punish his perjury if he shall be guilty of it;"…. The essential idea of an oath would seem to be, however, that of a recognition of God's authority by the party taking it, and an undertaking to accomplish the transaction to which it refers as required by his laws.[54]
>
> So solemn and awful were all appeals to God considered in those ancient times, that it was taken for granted that the man was innocent who could by an oath appeal to the omniscient God that he had not put his hand to his neighbour's goods [Exodus 22:10-11]. Since oaths have become multiplied, and since they have been administered on the most trifling occasions, their solemnity is gone, and their importance little regarded.[55]

The solemnity and consequence of the oath have been lost because its judgment is no longer enforced. As a transgression of the Third Commandment, breaking an oath made in the name of Yahweh is punishable by death.[56]

> And ye shall not swear by my name falsely, neither shalt thou profane the name of thy God: I am YHWH. (Leviticus 19:12)
>
> And he that blasphemeth the name of YHWH, he shall surely be put to death, and all the congregation shall certainly stone him: as well the stranger, as he that is born in the land…. (Leviticus 24:16)

Oaths that do not force us to answer to someone greater than ourselves are impotent. In the event that the oath taker is not a man of his word, something must compel him to uphold his pledge. *Cole v. Richardson* noted that without self-imprecation, an oath becomes merely an "amenity."[57] The presidential oath of office contains nothing compelling or binding. Nothing prevents a president from disregarding his oath the moment he steps off the inauguration platform.

Section 2, Clause 1

> The President shall be commander in chief of the army and navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment.

Reprieves and Pardons

> The President of the United States has the unrestrained power of granting pardons for treason (Art 2, Sect 2, Clause 1); which may be sometimes exercised to screen from punishment those whom he had secretly instigated to commit the crime, and thereby prevent a discovery of his own guilt.
>
> George Mason[58]

This could have been written with George W. Bush in mind. On July 2, 2007, he commuted Scooter Libby's prison term after Libby was convicted in the CIA identity leak of Valerie E. Wilson, aka Valerie Plame. During his two-term administration, Bush granted 191 pardons and nine commutations of people condemned as criminals by the United States judicial system.

Section 2, Clause 2

> [The president] shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the supreme court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law....

Treaties

What kind of treaties are included in Section 2, and with whom are they made?

> While the power to make treaties is general and unrestricted, it is not to be so construed as to destroy the fundamental laws of the land. "A treaty to change the organization of the government, to annihilate its sovereignty, to overturn its republican form, or to deprive it of its constitutional powers, would be void; because it would destroy what it was designed merely to fulfill, **the will of the**

> **people**."[59]

Under the Constitution, treaties were to be made, not with the will of Yahweh in mind, but the will of the people. If the Constitution were a Biblically compatible document, the framers would have stipulated (as does the Bible) against entering treaties with non-Christian nations:

> And ye shall make no league with the inhabitants of this land; ye shall throw down their altars: but ye have not obeyed my voice: why have ye done this? Wherefore I also said, I will not drive them out from before you; but they shall be as thorns in your sides, and their gods shall be a snare unto you. (Judges 2:2-3)

These consequences have always accompanied America's disobedience when she has made treaties with non-Christian nations. Consider the consequences of GATT, NAFTA, the NAU, and other disastrous unbiblical trade agreements. Yahweh is a jealous God, and He does not permit His people to covenant, contract, or make treaties with individuals or nations that are covenanted with other gods or in rebellion to Yahweh:

> And after this did Jehoshaphat king of Judah … join himself with Ahaziah king of Israel, who did very wickedly: and he joined himself with him to make ships.… Then Eliezer … prophesied against Jehoshaphat, saying, Because thou hast joined thyself with Ahaziah, YHWH hath broken thy works.… (2 Chronicles 20:35-37)

Christians are warned against participating in the evil deeds of those who reject Christ. The following applies as much to nations as it does to individuals:

> For many deceivers are entered into the world, who confess not that Jesus Christ is come in the flesh.… If there come any unto you, and bring not this doctrine, receive him not into your house, neither bid him God speed: For he that biddeth him God speed is partaker of his evil deeds. (2 John 1:7-11)

Judicial Appointments

> The provision of Section 2, Clause 2 for the appointment of judges *is* Biblical. However, with appointments at the discretion of non-Biblical presidents and legislators, such appointments become unbiblical. This is evidenced by the men and women adjudicating in today's constitutional courts, none of whom are Biblically qualified and all of whom judge on behalf of WE THE PEOPLE or create their own laws based upon their own opinions and rulings.

Section 4, Clause 1

> The President, Vice President, and all civil officers of the United States shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

Treason and high crimes against whom? Not against Yahweh. Constitutional government does not recognize high crimes (such as idolatry, blasphemy, and adultery) against Yahweh as crimes at all. If it did, Bill Clinton and other presidents would not only have been impeached, they would have been executed. The treason and high crimes mentioned in this Clause refer only to crimes against WE THE PEOPLE, which further proves that WE THE PEOPLE is the principle god of the Constitutional Republic. If the Constitution were a Biblical document, no presidents could ever be impeached because no presidents and vice presidents would ever be elected.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- **The e-book (on CD) *A Christian Perspective on the U.S. Constitution***
- **The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)**

End Notes

1. Amendment 22, adopted in 1951, limits a president to two four-year terms.

2. Mark A. Beliles, Douglas S. Anderson, *Contending for the Constitution*: *Recalling the Christian Influence on the Writing of the Constitution and the Biblical Basis of American Law and Liberty* (Charlottesville, VA: Providence Foundation, 2005) p. 169.

3. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

4. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

5. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

6. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

7. Henry C. Clausen, Sovereign Grand Commander, *Masons Who Helped Shape Our Nation* (San Diego, CA: Neyenesch Printers, 1976) pp. 9-12.

8. Gary North, *Political Polytheism*: *The Myth of Pluralism* (Tyler, TX: Institute for Christian Economics, 1989) pp. 422-24.

9. Robert Heironimus, *Founding Fathers*, *Secret Societies*: *Freemasons*, *Illuminati*, *Rosicrucians*, *and the Decoding of the Great Seal* (Rochester, VT: Destiny Books, 2006) p. 44.

10. Albert G. Mackey, *Revised Encyclopedia of Freemasonry* 3 vols. (New York: Macoy Publishing and Masonic Supply, 1966) vol. 2, p. 1095, quoted in Robert Heironimus, *Founding Fathers*, *Secret Societies*: *Freemasons*, *Illuminati*, *Rosicrucians*, *and the Decoding of the Great Seal* (Rochester, VT: Destiny Books, 2006) p. 44.

11. Heironimus, p. 44, quoting Mackey, vol. 2, p. 1095.

12. Mark A. Noll, Nathan O. Hatch, and George M. Marsden, *The Search for Christian America* (Westchester, IL: Crossway, 1983) p. 72.

13. Clausen, p. 84.

14. Benjamin F. Morris, *The Christian Life and Character of the Civil Institutions of the United States* (Powder Springs, GA: American Vision, Inc., 2009, originally published 1864) pp. 769-70.

15. For information regarding the antichristian nature of the Babylonian Talmud, *God's Covenant People: Yesterday, Today and Forever* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

16. Richard E. Fletcher, Post Grand Master and Executive Secretary of the Masonic Service Association of North America, email, 4 December 2008.

17. Roger Firestone, "Difficult Questions About Freemasonry," http://web.mit.edu/dryfoo/Masonry/Questions/difficult.html.

18. Thomas Jefferson, letter to John Adams, 24 January 1814, Lester J. Cappon, ed., *The Adams-Jefferson Letters*: *The Complete Correspondence Between Thomas Jefferson and Abigail and John Adams* (Williamsburg, VA: Institute of Early American History and Culture, 1988) p. 384.

19. For an explanation of the antichristian characteristics of Freemasonry, I recommend *The Deadly Deception*: *Freemasonry Exposed … by One of its Top Leaders*, by Jim Shaw and Tom McKenney and *Unveiling Freemasonry's Idolatry* by John M. Otis.

20. North, p. 691.

21. William Holmes McGuffey, *McGuffey's Sixth Eclectic Reader* (New York, NY: American

Book Company, 1879) p. 225.

22. John Locke, *Two Treatises of Government* (London, UK: C. & J. Rivington) p. 211.

23. North, p. 71.

24. Ibid., p. 191.

25. Ibid., p. 291.

26. John MacArthur, quoted in Lillian Kwon, "Influential Evangelical: Mideast Uprisings Violate Biblical Command," 21 February 2011, *The Christian Post*,http://www.christianpost.com/news/influential-evangelical-mideast-uprisings-violate-biblical-command-49086/.

27. See Chapter 28 "Amendment 19: The Curse of Women's Suffrage" for information regarding Yahweh's patriarchal qualification.

28. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

29. See Chapter 23 "Amendment 14: First-Birth vs. Second-Birth Citizenship" for the identity of today's Israelites and Chapter 24 "Amendment 15: Color-Blind Voting" for the importance of this qualification.

30. Exodus 18:19-21; Deuteronomy 1:13-17, 17:15-20; 2 Samuel 23:3; 2 Chronicles 19:5-8; Jeremiah 30:21; Romans 13:1-4; 1 Timothy 3:1-13; and Titus 1:5-9.

31. Noah Webster, *History of the United States* (New Haven, CT: Durrie & Peck, 1832) pp. 336-37.

32. Helen Keller, Ellen Bilofsky, ed., "Letter to Mrs. Grindon, January 12, 1911 published in the Manchester *Advertiser*, March 3, 1911," *To Love This Life*: *Quotations by Helen Keller* (New York, NY: AFB Press, 2000) p. 79.

33. Michael Scherer, "Christian Conservatives Uniting Behind McCain," *Swampland*: TIME blog, 2 July 2008, http://www.time-blog.com/swampland/2008/07/christian_conservatives_unitin.html.

34. "Evangelical Leaders Meet and Decide to Back Sen. John McCain," *Charisma*, 2 July 2008, http://www.charismamag.com/cms/news/archives/0702081.php.

35. Gary DeMar, *Democracy Good and Bad*, http://americanvision.org/3806/democracy-

good-and-bad/.

36. John Jay, quoted in Mark A. Beliles, Douglas S. Anderson, *Contending for the Constitution*: *Recalling the Christian Influence on the Writing of the Constitution and the Biblical Basis of American Law and Liberty* (Charlottesville, VA: Providence Foundation, 2005) p. 213.

37. Gary North, *Conspiracy in Philadelphia*, *The Broken Covenant of the U.S. Constitution* (Draper, VA: Nicene Council.com, 2004) p. 269.

38. *Random House Webster's College Dictionary*, *s.v.* "democracy" (New York, NY: Random House, Inc., 2000) p. 354.

39. *Random House Webster's College Dictionary*, s.v. "republic" (New York, NY: Random House, Inc., 2000) p. 1121.

40. W. Cleon Skousen, *A Miracle that Changed the World*: *The 5000 Year Leap* (Malta, ID: National Center for Constitutional Studies, 2006) p. 141.

41. James Wilson, Chief Justice of the State of New York and one of New York's delegates to the Constitutional Convention, quoted in Robert Yates "Secret Debates of the Federal Convention of 1787," *Secret Proceedings and Debates of the Constitutional Convention 1787*, Entered according to Act of Congress in the year 1838 (Hawthorne, CA: Omni Publications, 1986) pp. 160-61.

42. Dr. James Dobson, "Family News from Dr. James Dobson," October 1998.

43. Rick Scarborough, "The Vision Grows" Video, www.visionamerica.us/.

44. Kenneth Copeland, "Pray, Listen & Obey … Vote!"

45. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, "The Third Commandment" may be read online, or Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

46. Gary DeMar, "Constitutional Hermeneutics," 10 April 2006, http://americanvision.org/1252/constitutional-hermeneutics/.

47. Lenny Cacchio, "Hold Your Nose and Vote," *Living to Win*.

48. Garrison Keillor, speech delivered at Chicago's Rockfeller Memorial Chapel, 3 November 2004.

49. James Iredell, member of the U.S. Congress and later Chief Justice of the Supreme Court, 30 July 1788, quoted in *The Debates in the Several State Conventions on the Adoption of the Federal Constitution*, Jonathan Elliot, ed., 5 vols. (Washington, DC: Jonathan Elliot, 1836) vol. 4, p. 196.

50. Zephaniah Swift, *A System of Laws of the State of Connecticut* (Windham, CT: John Byrne, 1796) vol. 2, p. 238.

51. Daniel Webster, *Mr. Webster's speech in Defence of the Christian Ministry and in Favor of the Religious Instruction of the Young, Delivered in the Supreme Court of the United States, February 10, 1844, in the Case of Stephen Girard's Will* (Washington, DC: Gales and Seaton, 1844) p. 43.

52. D.X. Junkin, *The Oath*, quoted in T.P. Stevenson, Corresponding Secretary of the National Association to Amend the Preamble, "History of the Movement to Secure the Religious Amendment of the Constitution of the United States." *Proceedings of the National Convention to secure the religious amendment of the Constitution of the United States: Held in New York, Feb. 26 and 27, 1873* (New York: John Polhemus, Printer, 1873) p. iv.

53. E.R. Craven, Address, *Proceedings of the National Convention to secure the religious amendment of the Constitution of the United States: Held in New York, Feb. 26 and 27, 1873* (New York: John Polhemus, Printer, 1873) pp. 18-19.

54. John Bouvier, *Bouvier's Law Dictionary: A Concise Encyclopedia of the Law*, 3 vols., s.v. "Oath" (Kansas City, MO: Vernon Law Book Company, 1914) vol. 3, p. 2388.

55. Adam Clarke, *Clarke's Commentary*, 6 vols. (New York, NY: Carlton & Phillips, 1853) vol. 1, p. 413.

56. "The Third Commandment" may be read online, or the book Thou shalt not take the name of Yahweh thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

57. *Cole v. Richardson*, 405 U.S. at 685, 92 S.Ct. at 1337; 31 L.Ed.2d 593 (1972).

58. George Mason, *The Essential Federalist and Anti-Federalist Papers*, ed. David Wootten (Indianapolis, IN: Hackett Publishing Company, 2003) p. 1.

59. Israel Ward Andrews, *Andrews Manual of the Constitution* (Cincinnati and New York: Van Antwerp, Bragg & Co., 1887) p. 168.

*In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. We are admonished in Matthew 10:8 that "freely ye have received, freely give." Therefore, we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 6
Article 3: Judicial Usurpation

Section 1

The judicial power of the United States, shall be vested in one supreme court, and in such inferior courts as the Congress may, from time to time, ordain and establish. The judges, both of the supreme and inferior courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

Superior and Inferior Courts

Christian[1] Constitutionalists generally believe the provision for a superior and inferior court system was derived from Jethro's counsel to Moses in Exodus 18:

> Hearken now unto my voice, I will give thee counsel, and God shall be with thee: Be thou for the people to Godward, that thou mayest bring the causes unto God: And thou shalt teach them ordinances [statutes] and laws.... Moreover thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness; and place such over them, to be rulers of thousands, and rulers of hundreds, rulers of fifties, and rulers of tens: And let them judge the people at all seasons: and it shall be, that every great matter they shall bring unto thee, but every small matter they shall judge: so shall it be easier for thyself, and they shall bear the burden with thee. (Exodus 18:19-22)[2]

This passage *does* provide Biblical precedent for a graduated judicial system, but that is where any similarity ends. The Bible stipulates, among other things, that judicial appointees must be men of truth who fear Yahweh and hate covetousness. (See Chapter 5 "Article 2: Executive Usurpation" for a list of additional Biblical qualifications.) The United States Constitution requires no Biblical qualifications whatsoever. Nowhere does the Constitution stipulate that judges must rule on behalf of Yahweh, rendering decisions based upon His commandments, statutes, and judgments as required in Exodus 18. That not even one constitutional framer contended for Yahweh,[3] as did King Jehoshaphat, speaks volumes about the framers' disregard for Him and His judicial system:

> And he [King Jehoshaphat] set judges in the land throughout all the fenced cities of Judah, city by city, and said to the judges, Take heed what ye do: for ye judge not for man, but for YHWH,[4] who is with you in the judgment.... And he charged them, saying, Thus shall ye do in the fear of YHWH, faithfully, and with a perfect heart. (2 Chronicles 19:5-9)

In order for a court to be just, it must be impartial. For a court to be impartial, its judges must rule on behalf of Yahweh, instead of the state or any one class, gender, or person. Because constitutional government adjudicates on behalf of the state and the people, many rulings are unjust and adverse to Yahweh's morality:

> …they have sinned against YHWH, the habitation of justice.... (Jeremiah 50:7)

R.J. Rushdoony described justices who do not represent Yahweh as political hacks:

> If the judge does not represent God's Law order, he is ultimately a political hack and hatchet man whose job it is to keep the people in line, protect the establishment, and in the process to feather his own nest....[5]

> …the judge was not to be an impartial referee but a partisan champion of the law of God, actively concerned with bringing God's justice to bear on every situation "by requiting the wicked, by recompensing his way upon his own head; and by justifying the righteous, by giving him according to his righteousness" (II Chron. 6:23).[6]

Anticipating their prohibition against Christian test oaths in Article 6, the framers could not require judges to fear Yahweh in Article 3. Yahweh's law *requires* judges to fear Yahweh; the Constitution *bans* the same qualification. The following decisions are only a small sampling of this rejection of Yahweh and His law and should not surprise anyone:

- 1962, *Engel v. Vitale*; Supreme Court finds prayer in schools unconstitutional.
- 1963, *Abington v. Schempp*; Supreme Court rules that Bible reading in public schools is unconstitutional.
- 1973, *Roe v. Wade*; Supreme court finds that the right to personal privacy includes infanticide.
- 1980, *Stone v. Graham*; Supreme court strikes down a Kentucky statute requiring display of the Ten Commandments in public schools.
- 2002, *Newdow v. U.S.*; 9th Circuit Court of Appeals rules that reciting "under God" in the Pledge of Allegiance in public schools is an unconstitutional endorsement of religion.
- 2003, *Lawrence v. Texas*; Supreme Court strikes down a Texas law prohibiting sodomy.
- 2003, *Glassroth v. Moore*; 11th Circuit Court of Appeals rules that a monument to the Ten Commandments placed in Alabama's judiciary building must be removed.
- 2003, *Goodridge v. Department of Public Health*; Massachusetts Supreme Court rules that same-sex couples can marry under the laws of that state.
- 2004, Massachusetts Supreme Court sanctions same-sex marriage; it declares that the state legislature may not offer "civil union" as an alternative to same-sex marriage, paving the way for the first state-recognized homosexual marriages in U.S. history.
- 2005, *U.S. v. Extreme Associates*; a U.S. district court judge dismisses federal obscenity charges against hardcore pornographers, finding that morality is no longer a legitimate state interest.

These court decisions are not the consequence of the courts' departure from the Constitution, but instead the consequence of the constitutional framers establishing a judiciary without specifying that it was to be governed by Yahweh's law. Because nothing requires constitutional judges to rule exclusively according to Yahweh's morality, they have tacit authority to adjudicate according to the immorality of Allah, Buddha, Krishna, Baal, or WE THE PEOPLE. This is especially true because of the polytheistic provision for freedom of religion in Amendment 1. Americans should prepare themselves for courts that rule according to Islamic Sharia and Jewish Beth Din laws, as is already occurring in England:

> Islamic law has been officially adopted in Britain, with sharia courts given powers to rule on Muslim civil cases. The government has quietly sanctioned the powers for sharia judges to rule on cases ranging from divorce and financial disputes to those involving domestic violence. Rulings issued by a network of five sharia courts are enforceable with the full power of the judicial system, through the county courts or High Court….

Jewish Beth Din courts operate under the same provision in the Arbitration Act and resolve civil cases, ranging from divorce to business disputes. They have existed in Britain for more than 100 years....

Politicians and church leaders expressed concerns that this could mark the beginnings of a "parallel legal system" based on sharia for some British Muslims.[7]

Constitutional judges are *required* to render verdicts in agreement with the Constitution rather than the Bible anytime the two are in disagreement:

…when they ... find it [any law] to be incompatible with the superior power of the Constitution, it is their duty to pronounce it void.

James Wilson, Constitution Signatory and Supreme Court Justice[8]

James McHenry, a signatory of the Constitution and later Secretary of War, took what appears to have been a contrary position:

…the Holy Scriptures ... can alone secure to society, order and peace, and to our courts of justice and constitutions of government, purity, stability, and usefulness. In vain, without the Bible, we increase penal laws and draw entrenchments [defenses] around our institutions. Bibles are strong entrenchments. Where they abound, men cannot pursue wicked courses.[9]

Why then did McHenry sign his name to the Constitution? This is a classic case in which someone involved with the writing and ratification of the Constitution *said* the right things but *did* otherwise.

Good Behavior

The only qualification provided in Article 3 is that judges are to be men and women of good behavior:

Under Article III, Section 1, judges can only continue to hold their office "during good behavior," a broadly defined term that is meant to provide Congress with optimum discretionary authority. Unfortunately, Congress has only invoked this power twice in the last 210 plus years – once for drunkenness and once for disloyalty during the Civil War.[10]

Of what worth is a condition of good behavior if it is nowhere defined? In Mark 10:18, Jesus[11]declared, "No one is good except God alone" (NASB). Good behavior can be defined and understood only from the parameters of Yahweh and His morality. Any standard that leaves "good behavior" to the determination of humans is humanism.

What the framers did was essentially the same as a father who tells his five-year-old son to be a good boy without explaining to him what is required of him to be good. When the son comes up with his own ideas about what qualifies as "good," the father has no grounds to discipline him. No wonder bad judges are so seldom disciplined and so difficult to remove from their benches.

Because all judges are lawyers and because lawyers have dominated every congress since 1789, the lawyers in the legislative branch are unlikely to turn on their fellow lawyers in the judicial branch. The majority of presidents have also been lawyers. So much for the purported separation of powers under the United States Constitutional Republic.

Section 2, Clauses 1-2

The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party….

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the supreme court shall have original jurisdiction. In all the other cases before-mentioned, the supreme court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

The Supreme Court

There is hardly a political question in the United States which does not sooner or later turn into a judicial one.

Alexis de Tocqueville[12]

The Supreme Court, composed of one chief justice and eight associate justices, with its power to not only judge the facts of any case but also to interpret, judge, and overrule any "law" passed by Congress (what Gary North described as "retroactive legitimacy to legislation"[13]), makes the Supreme Court the powerhouse or "big god" of this polytheistic system. Luther Martin, attorney-general of Maryland and one of Maryland's delegates to the Constitutional Convention, pointed out that the Supreme Court ultimately negates the jury system:

> …in all cases where the general government has jurisdiction in civil questions … its appellate jurisdiction, absolutely declares the Supreme Court shall have appellate jurisdiction both as to law and fact. Should, therefore, a jury be adopted in the inferior court, it would only be a needless expense, since, on an appeal, the determination of that jury, even on questions of fact, however honest and upright, is to be of no possible effect. The Supreme Court is to take up all questions of fact, to examine the evidence relative thereto, to decide upon them in the same manner as if they had never been tried by a jury…. But, Sir, the appellate jurisdiction extends … to cases criminal as well as to civil; and, on the appeal, the court is to decide not only on the law, but on the fact. If, therefore, even in criminal cases, the general government is not satisfied with the verdict of the jury, its officer may remove the prosecution to the Supreme Court, and there the verdict of the jury is to be of no effect, but the judges of this court are to decide upon the fact as well as the law….[14]

The power of the people of the United States of America and their representatives is subject to the Judicial Branch, and ultimately the Supreme Court, which is essentially immune from any kind of censure. The real power or sovereignty of the United States Constitutional Republic resides in a Biblically unqualified and nearly always Biblically adverse five to four majority. The United States government is ultimately under the control and direction of five lawyers. And why not? In 1787, it was predominately lawyers (thirty-four of the fifty-five delegates were lawyers) who framed the Constitution and gave ultimate power into the hands of their own trade. Concerning public opinion in 1787, Forrest McDonald wrote that "few Americans except lawyers trusted a truly independent judiciary."[15]

North observes that “political conservatives cry out against the concentration of power in the hands of the Supreme Court.”[16] But this is only because the Supreme Court’s rulings are predisposed toward liberals. If it were otherwise, political conservatives would have no objections against this concentration of power.

The Supreme Legislator

In the United States, rights are proclaimed in the Constitution, but they are defined by the Supreme Court, which the Constitution has established to provide a reliable and definitive interpretation of the law.[17]

Although Article 6 declares the Constitution the supreme law of the land, whoever has the power to interpret that law is the supreme legislator. Chief Justice Warren Burger commented on the landmark case *Marbury v. Madison* (1803), which established judicial review under Article 3 of the Constitution:

> The cornerstone of our constitutional history and system remains the firm adherence of the Supreme Court to the Marbury principle of judicial review that “someone must decide” what the Constitution means.[18]

James Madison concurred:

> I acknowledge, in the ordinary course of government, that the exposition of the laws and Constitution devolves upon the Judiciary.[19]

Supreme Court Associate Justice Charles Evan Hughes commented upon this inescapable fact:

> Article VI of the Constitution makes the Constitution the “supreme Law of the Land.” …[But it] is emphatically the province and duty of the judicial department to say what the law is…. It follows that the interpretation of the [Constitution] enunciated by this Court … is the supreme law of the land….[20]

Constitutionalists may protest, but it was inevitable that the Supreme Court would dominate the Constitutional Republic’s three branches.

> The court does not merely interpret the rules; it expands them, as indeed it must in view of their cryptic incisiveness and the ever-multiplying and changing nature of the confrontations between religion and government which the court must resolve…. On occasion the court must even rewrite the rules.
>
> In short, while the Constitution provides formal methods for its amendment, the Supreme Court can be considered a *de facto* continuing convention expanding or rewriting the Constitution as the need arises….[21]

In other words, the Constitution is whatever the Supreme Court – at any given time – says it is.

How paradoxical that the first nation to base its political philosophy on the principle that all political authority derives from the people, and that the people express their will through elected representatives, should also be the first to embrace the principle that the ultimate interpretation of the validity of the popular will should be lodged not in the people themselves, or in their representatives, but in one non-elected and, therefore, non-democratic branch of the government.[22]

Without God's word as our anchor for law, we are ultimately governed by activist judges and their judicial whims. Under that standard, law is manipulated to correspond … to what the judges think it should say rather than what it actually says.... Law becomes whatever a few elitist judges say it is....[23]

Thomas Jefferson and George Mason were prophetic in their comments about the judiciary:

The constitution … is a mere thing of wax in the hands of the judiciary, which they may twist and shape into any form they please.[24]

It has long, however, been my opinion, and I have never shrunk from its expression … that the germ of dissolution of our federal government is in the constitution of the federal Judiciary … working like gravity by night and by day, gaining a little to-day and a little to-morrow, and advancing its noiseless step like a thief, over the field of jurisdiction, until all shall be usurped....[25]

The Judiciary of the United States is so constructed and extended, as to absorb and destroy the Judiciaries of the several States; thereby rendering Law as tedious, intricate, and expensive, and Justice as unattainable, by a great part of the Community, as in England, and enabling the Rich to oppress and ruin the poor.[26]

Under Yahweh's law, such a judiciary would be considered treasonous. At the very least, any judges involved in such treason would be removed from the bench.

Woe unto them that decree unrighteous decrees, and that write grievousness which they have prescribed; to turn aside the needy from judgment, and to take away the right from the poor of my people, that widows may be their prey, and that they may rob the fatherless! (Isaiah 10:1-2)

The United States constitutional juridical system is disposed toward the wealthy and often wrests judgment from the poor. The scales are tipped in favor of the rich simply because the average person cannot afford the same quality and quantity of attorneys as a wealthy man. This, in itself, is a type of unjust weights and measures. Money and attorney gamesmanship – not justice – rule today's courts, and the result, all too often, is the plundering of the innocent:

This is one of the problems inherent in an adversarial system [such as with the United States juridical system], rather than an advocacy system in which there is a concern on the part of all to arrive at truth. Defense attorneys are concerned only with acquittal of their defendants rather than simply ensuring that they get a fair trial. Instead of emphasizing a judgment based on the full disclosure of evidence, an adversarial system focuses on who can best present their case. Elocution triumphs over truth.

Almost everyone can cite a horror story of an acquaintance who has been sued for frivolous reasons, was subsequently acquitted, but ended up with a $10,000 attorney bill. Is this justice? ...[J]ustice in the United States is no longer blind, it is cross-eyed.[27]

Yahweh demands equity in His courts for poor and wealthy alike:

> Neither shalt thou countenance a poor man in his cause…. Thou shalt not wrest the judgment of thy poor in his cause. Keep thee far from a false matter…. And thou shalt take no gift [bribe, NASB]: for the gift blindeth the wise, and perverteth the words of the righteous. (Exodus 23:3-8)

Attorney fees are often nothing more than bribes to acquit the guilty.

Inherently Flawed

Constitutionalists believe the superiority of the United States juridical system is demonstrated in that even Supreme Court decisions can be overturned and made right by either future Supreme Court justices or by constitutional amendment. But history has proven the opposite is more likely. Furthermore, the injustices that often occur in the interim between a bad decision and a better decision would seldom, if ever, occur in a Biblical court.

Nothing demonstrates this fundamental defect better than *Roe v. Wade*, which constitutionally has provided for an endless number of infants to be murdered. While Christian Constitutionalists wait for the Constitutional Republic's system to (they *hope*) correct itself, millions more infants are being murdered. Under Yahweh's law, not one infant would have been murdered.

Even when wrong decisions are overturned, they can be overturned again by a later court. Judicial records expose this capricious tendency of the United States juridical system:

> …law not founded upon absolutes is very dangerous to society. Consider that without absolutes, the Supreme Court has reversed itself over 100 separate times![28]

The actual number is more than double this figure:

> The Court had reversed itself in 219 cases by 2000. Of this total, all but seven instances came after the Civil War. All but 28 came after 1913. Over 60 percent came after 1941. This process is accelerating.[29]

Judicial "standards now change as rapidly as the Justices. This causes an uncertainty for society; and, in fact, often establishes a dubious standard which, in effect, is no standard at all."[30] Unlike the Bible, the Constitution is not an infallible standard. Returning to a more "pure" constitutionalism is *not* the answer. The answer is found in returning to Yahweh's perfect law and altogether righteous judgments.

Appellate System

Unlike the Constitutional Republic, Yahweh's court system has no litigant appellate process. In Exodus 18, difficult cases were turned over to higher judges (over fifties, hundreds, and thousands) and finally to Moses by lower courts, not for appeal, but for adjudication. Appellate systems such as provided by Article 3 only delay judgments. Without Yahweh's morality as the standard, higher courts have no better chance of arriving at a just decision than do lower courts.

Lawyers

This chapter would be incomplete without something being said regarding lawyers, who, as pointed out earlier, have predominated all three branches of the Constitutional Republic from the onset and who have only become more entrenched since its ratification:

Whenever lawyers dominate a society – usually during the society's final years – they steadily substitute formal procedure for ethics.... They adopt a theology of salvation by law, or at least continued employment by law. The practice of law replaces the law itself; "law" becomes case laws, precedents, and procedures, but without any thought or hope concerning an integrated law-order that provides meaning to the law in general. Law becomes what men say it is, and men do not agree. Humanism's implicit judicial polytheism then leads to the disintegration of civil law: jammed courts, endless litigation, plea bargaining, and all the other aspects of twentieth-century judicial tyranny that we have become numbed into accepting as normative.

The Bible is concerned with ethics, not formal courtroom procedure.... It is the mark of a culture in the process of disintegration that it substitutes procedure for ethics, the letter of its law for the spirit of its law. Even more important is the bureaucratic machinery that defines the letter of the law.... Techniques of judicial interpretation are considered more fundamental than the substance of the law. Such an attitude invariably transfers authority from the people to a self-certified elite, the interpreters. It creates a secular priesthood.[31]

The most consequential repercussion of the Constitutional Republic's juridical system was its effect upon the church:

The church ... was thrown out into the street by the lawyers of Philadelphia, who decided not to have a Christian country.... [I]n effect, they took all the promises of religion, the pursuit of happiness, safety, security, all kinds of things, and they set up a lawyers' paradise, and the church was disenfranchised totally.[32]

Consider Jesus' denunciation of lawyers:

Woe unto you, lawyers! For ye have taken away the key of knowledge: ye entered not in yourselves, and them that were entering in ye hindered. (Luke 11:52)

The key of knowledge is the law of Yahweh, and lawyers, including and especially the Philadelphia thirty-four, have altered that law:

My people are destroyed for lack of knowledge: because thou hast rejected knowledge, I will also reject thee ... seeing thou hast forgotten the law of thy God.... (Hosea 4:6)

Section 2, Clause 3

The trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the state where the said crimes shall have been committed; but when not committed within any state, the trial shall be at such place or places as the Congress may by law have directed.

The Unbiblical Jury System

Article 3's provision for juries is yet another instance of the framers' deciding they knew better than Yahweh. The Bible offers nothing that resembles a jury system. In an attempt to make the Constitution's jury system appear Biblical, one pastor wrote:

The jury was not invented by human minds but is a system that came from God through His Israel people. Deu 1:22 "And ye came near unto me every one of you, and said, We will send men before us, and they shall search us out the land, and bring us word again by what way we must go up, and into what cities we shall come. 23 And the saying pleased me well: and I took twelve men of you, one of a tribe."[33]

Deuteronomy 1:22-23 has nothing to do with a jury system. It provides the account of Moses' sending one man from each of the twelve tribes to spy out Canaan. If this is a precedent for a jury system, it is a poor one because ten of the twelve "jurors" came back with the wrong verdict.

In their attempt to make the Constitution Biblical, Mark Beliles and Douglas Anderson maintain "the right of 'trial by jury'" was "set forth in the Bible in Deuteronomy 19:15-19."[34] This passage cites priests and judges but says nothing about juries:

One witness shall not rise up against a man for any iniquity, or for any sin, in any sin that he sinneth: at the mouth of two witnesses, or at the mouth of three witnesses, shall the matter be established. If a false witness rise up against any man to testify against him that which is wrong; then both the men, between whom the controversy is, shall stand before YHWH, before the priests and the judges, which shall be in those days; and the judges shall make diligent inquisition: and, behold, if the witness be a false witness, and hath testified falsely against his brother; then shall ye do unto him, as he had thought to have done unto his brother: so shalt thou put the evil away from among you. (Deuteronomy 19:15-19)

Most Constitutionalists favor the jury system, provided jury nullification (a juror's right to judge a law as unjust, oppressive, or inapplicable to any particular case) is in force. However, even if jury nullification were restored, juries would still render decisions based upon each jury's collective standard of morality or immorality. "A jury drawn from the [Biblically] uninstructed population is no better equipped to administer the just requirements of God's law than a corrupt judge."[35] A jury awarded $2.3 million to Stella Liebeck when she burned herself with McDonald's coffee, and a jury found O.J. Simpson innocent on all charges. Although it might be argued that it only takes one juror to dissent and prevent a "railroad job," most people lack the independence and resolution to resist the will of a majority. More often than not, today's jurors reflect the type of people we are warned against in Exodus 23:

Thou shalt not follow a multitude to do evil; neither shalt thou speak in a cause to decline after many to wrest judgment. (Exodus 23:2)

Juries produce, at best, erratic justice. Without Yahweh's law as the standard, jury decisions are based upon the capricious morality of its members. Nothing demonstrates this better than Jesus' trial by a jury of His peers with Pontius Pilate presiding. The prevailing immorality of the day demanded Jesus be crucified even though He was clearly innocent.

The character of the courts, judges, and legal system cannot be long maintained if the character of the people is delinquent and degenerate. Courts and judges do not exist in a vacuum: they are part of the faith, culture, and moral standards of the people at large, of the nation of which they are a part.[36]

And there shall be, like people, like priest: and I will punish them for their ways.... (Hosea 4:9)

The constitutional right of a trial by a jury of "impartial" peers is regarded by Americans – especially Christian Constitutionalists – as one of the last bulwarks against tyranny. If this is true, Yahweh (who is unquestionably a God of justice and liberty) would have included juries somewhere in His perfect law and righteous judgments. Surely, one of the reasons He did *not* provide for them is that juries (like elections) place government policy and juridical determinations in the hands of an unpredictable and unequally yoked public, the majority of whom are not Christian (Matthew 7:13).

Biblical Judges

Although the following passages provide for judges, officers, and magistrates, the Bible nowhere mentions juries:

> …thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness…. And let them judge the people at all seasons…. (Exodus 18:20-22)
>
> For all manner of trespass … the cause of both parties shall come before the judges…. (Exodus 22:9)
>
> And I charged your judges … saying, Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. (Deuteronomy 1:16)
>
> Judges and officers shalt thou make thee in all thy gates … and they shall judge the people with just judgment. (Deuteronomy 16:18)
>
> If there be a controversy between men, and they come unto judgment, that the judges may judge them; then they shall justify the righteous, and condemn the wicked. (Deuteronomy 25:1)
>
> And thou, Ezra, after the wisdom of thy God, that is in thine hand, set magistrates and judges … all such as know the laws of thy God…. (Ezra 7:25)

When a judicial system is governed by Biblically qualified judges – whose decisions are based upon Yahweh's commandments, statutes, and judgments – juries are unnecessary. Under such a system, all judicial decisions reflect Yahweh's never-changing morality. In Deuteronomy 25:1, Yahweh admonished judges to "justify the righteous, and condemn the wicked." Where is this most likely to occur – in the courts of sinners or in the courts of the saints? Do not look for it in the courts of the unrighteous:

> Her princes within her are roaring lions; her judges are evening wolves … they have done violence to the law. (Zephaniah 3:3-4)

Constitutional justices, such as Antonin Scalia, make no apologies for (allegedly) separating their religious beliefs from their judicial decisions, as required in Article 6:

> Scalia … said his job is only to determine the intent of the Constitution's framers, not to contort the text to fit his religious beliefs. He said he opposes *Roe v. Wade* not on theological grounds but because he can find no reference to abortion in the Constitution. "The reality is that the Constitution says nothing about abortion either way and the states are therefore allowed to permit it or to prohibit it," he said.
>
> Scalia frequently referred to himself … as a [Constitution] "textualist," and reminded his mostly Catholic audience that they should not wish for judges who meld religion with their work. "If it's proper for Catholic judges to do that, it's proper for atheistic judges, for

secularistic judges, for judges opposed to all Christian and religious beliefs, to do the same thing," Scalia said.[37]

All judicial decisions are based upon the judge's moral values, which shape his ethics and are, therefore, religious. Today's unbiblical judges create laws based upon their own values, and these rulings become the binding precedents, called case law, that compel juries to render decisions accordingly.

In an article entitled "...And Justice for None," Paul Craig Roberts (former Assistant Secretary of Treasury under President Reagan) expounded upon some of the inherent problems in today's juridical system:

The United States has the highest rate of incarceration in the world and imprisons 6 to 10 times as many people as any other industrialized country. Between 1990 and 2000, the U.S. population increased 13 percent. The U.S. prison population more than tripled.

There are hundreds of thousands of innocent Americans in prison. They are there because the criminal justice system no longer works to discover the truth of a crime, but to convict at all cost whoever happens to be charged with a crime. And they are there because the United States criminalizes more acts than any other country in the world, including tyrannical police states....

Almost everyone in prison is wrongfully convicted, even the guilty. According to the Department of Justice, 95 percent of criminal convictions result from plea bargains. What is a plea bargain but self-incrimination, conviction without a trial by jury and without a test of the evidence against the defendant?

An uninformed public believes plea bargains to be sweet deals for criminals. Sometimes they are, but more often, pleas result from prosecutors piling on charges until the defendant, innocent or guilty, cries "uncle" and gives up.[38]

Is it merely coincidence that the United States also has the highest number of lawyers per capita – one in every 265 citizens?

Christian Courts

Because the judicial system of first-century Rome was also corrupt, the Apostle Paul admonished Christians to set up their own courts of law:

Dare any of you, having a matter against another, go to law before the unjust, and not before the saints? Do ye not know that the saints shall judge the world? And if the world shall be judged by you, are ye unworthy to judge the smallest matters? Know ye not that we shall judge angels? How much more things that pertain to this life?... Is it so, that there is not a wise man among you? No, not one that shall be able to judge between his brethren? But brother goeth to law with brother, and that before the unbelievers. Now therefore there is utterly a fault among you, because ye go to law one with another. Why do ye not rather take wrong? Why do ye not rather suffer yourselves to be defrauded? (1 Corinthians 6:1-7)

When expounding upon this text, preachers usually emphasize the last verse to the exclusion of everything else. However, verse 7 cannot be properly understood if robbed of its context. Paul is saying that Christians should maintain their own judicial system and, if they cannot find a wise man among themselves to judge between them, it is better to be defrauded than to be judged by infidels. This is essentially the same thing Jesus declared:

> Agree with thine adversary quickly, whiles thou art in the way with him; lest at any time the adversary deliver thee to the judge, and the judge deliver thee to the officer, and thou be cast into prison. Verily I say unto thee, Thou shalt by no means come out thence, till thou hast paid the uttermost farthing. (Matthew 5:25-26)

Anything less than a Christian court system, governed by Yahweh's commandments, statutes, and judgments and adjudicated by Biblically qualified judges, fails Paul's criteria. The courts Paul described were to begin with Christians judging Christians, with the objective of someday judging the world:

> Do ye not know that the saints shall judge the world? And if the world shall be judged by you, are ye unworthy to judge the smallest matters [among yourselves]? ...How much more things that pertain to this life? (1 Corinthians 6:2-3)

This is referring to *this* age, here on earth:

> And we are ready to punish all disobedience, whenever your obedience is complete. (2 Corinthians 10:6, NASB)

This verse is usually interpreted as referring to disobedience in the church. But why would Paul delay punishment of disobedient Christians *until* they were obedient? Why would he wait to punish their sin until after they had repented? Instead, Paul is referring to a future time when the Christian community would be powerful enough to influence and even control government policy, including the judgment and punishment of the wicked. This is also borne out in Romans 13, in which the Greek word *ékdikos* (from which "punish" in 2 Corinthians 10:6 is derived) is translated "a revenger":

> For rulers [judges, Exodus 18:21-22] are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same: For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revengerto execute wrath upon him that doeth evil. Wherefore ye must needs be subject, not only for wrath, but also for conscience sake. (Romans 13:3-5)

Like 1 Corinthians 6, Romans 13 describes a Christian body politic that metes out Yahweh's judgments upon the wicked.[39] Romans 13 and 2 Corinthians 10 are first and second witnesses to Paul's instruction in 1 Corinthians 6, charging the Christian community to set up their own judicial system. 1 Timothy 1 offers a third witness:

> But we know that the law is good, if a man use it lawfully; knowing this, that the law [its judgment] is not made for a righteous man, but for the lawless and disobedient, for the ungodly and for sinners, for unholy and profane, for murderers of fathers and murderers of mothers, for manslayers, for whoremongers, for them that defile themselves with mankind, for menstealers, for liars, for perjured persons, and if there be any other thing that is contrary to sound doctrine; according to the glorious gospel of the blessed God, which was committed to my trust. (1 Timothy 1:8-11)

Modern Christianity has ignored these instructions, content to let non-Christians and even antichrists rule and administer unrighteous judgments. In Lamentations 5:14, Jeremiah lamented that "the elders [the judges] have ceased from the gate [where court was convened]." (See Chapter 17"Amendment 8: Bail, Fines, and Cruel and Unusual Punishments" for information regarding Christian fear of Yahweh's judgments.) Christianity has become saltless and good for nothing but to be trampled under the foot of man, which, among other things, means being judged by man's standards in man's courts. This is precisely the opposite of what we find described by Solomon: "The evil bow before the good; and the wicked at the gates [where court was convened] of the righteous." (Proverbs 14:19)

At an earlier time in America, Christendom controlled the body politic and administered Yahweh's judgments. The Colony of New Haven, Connecticut used 1 Corinthians 6:1 and 6:6-7 to justify doing so. Leonard Bacon (1802-1881) wrote the following concerning New Haven's 1639 judicial system:

> Notice … how great a change, in respect to the inflicting of capital punishments was made by adopting the Hebrew laws, instead of the laws of England. By the laws of England, more than one hundred and fifty crimes were till quite lately, punishable with death. By the laws which the New England colonists adopted, this bloody catalogue was reduced to eleven [murder, treason, perjury against the life of another, kidnapping, bestiality, sodomy, adultery, blasphemy in the highest degree, idolatry, witchcraft, and rebellion against parents]…. The greatest and boldest improvement which has been made in criminal jurisprudence, by any one act, since the dark ages, was that which was made by our [Colonial] fathers, when they determined, "that the judicial laws of God, as they were delivered by Moses, and as they are a fence to the moral law … shall be accounted of moral equity, and generally bind all offenders, and be a rule to all the courts."[40]

If the framers intended the Constitution to represent Yahweh, they would have set up the Judicial Branch to resemble that of the New Haven Colony. The Judicial Branch provided for in Article 3 is not equivalent to that provided for in the Bible. It is the consequence of the framers' rejection of Romans 13:1-7, 1 Corinthians 6:1-6, 2 Corinthians 10:4-6, and 1 Timothy 1:8-11.

Section 3, Clause 1

Treason against the United States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

Treason

That the framers were not concerned with treason against Yahweh proves by itself their government was not Biblical. In fact, because treason is a crime against sovereignty, the Constitutional Republic established in 1789 was itself a treasonous act against Yahweh and His government. Two sovereigns cannot coexist. When the framers established the United States government as sovereign, they became guilty of First and Second Commandment treason against Yahweh.

Two Witnesses

Section 3, Clause 1 requires two witnesses *only* to the crime of treason. Deuteronomy 19:15 requires two or more witnesses in *all* criminal cases:

One witness shall not rise up against a man for any iniquity, or for any sin, in any sin that he sinneth: at the mouth of two witnesses, or at the mouth of three witnesses, shall the matter be established. (Deuteronomy 19:15)

If Deuteronomy 19:15 was the inspiration for the two-witness requirement of Section 3, this is but another instance of the framers compromising Yahweh's law.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

2. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

3. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

4. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

5. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) p. 613.

6. Ibid., p. 625.

7. Abul Taher, "Revealed: UK's first official sharia courts," TIMESONLINE, 14 September 2008, http://www.timesonline.co.uk/tol/news/uk/crime/article4749183.ece.

8. James Wilson, at the Pennsylvania Ratification Debates on Saturday, December 1, 1787, *Debates in the Several State Conventions on the Adoption of the Federal Constitution*, Jonathan Elliot, ed., 5 vols. (Washington, DC: Printed for Jonathan Elliot, 1836) vol 2, p. 446.

9. James McHerny, quoted in Bernard C. Steiner, *One Hundred and Ten Years of Bible Society Work in Maryland, 1810-1920* (Baltimore, MD: The Maryland Bible Society, 1921) p. 14.

10. Mark A. Beliles, Douglas S. Anderson, *Contending for the Constitution*: *Recalling the Christian Influence on the Writing of the Constitution and the Biblical Basis of American Law and Liberty*(Charlottesville, VA: Providence Foundation, 2005) p. 149.

11. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

12. Alexis de Tocqueville, *Democracy in America and Two Essays on America* (London, UK: Penguin Books Ltd., 2003) p. 315.

13. Gary North, *Political Polytheism*: *The Myth of Pluralism* (Tyler, TX: Institute for Christian Economics, 1989) p. 502.

14. Luther Martin, "The Genuine Information, Laid Before The Legislature Of Maryland…," *Secret Proceedings and Debates of the Constitutional Convention 1787*, Entered according to Act of Congress, in the year 1838 (Hawthorne, CA: Omni Publications, 1986) pp. 80-81.

15. Forrest McDonald, *Novus Ordo Seclorum*: *The Intellectual Origins of the Constitution* (Lawrence, KS: University Press of Kansas, 1985) p. 85.

16. Gary North, *Conspiracy in Philadelphia*: *The Broken Covenant of the U.S. Constitution* (Draper, VA: Nicene Council.com, 2004) p. 274.

17. International Information Programs, USINFO.STATE.GOV, "Religious Liberty in the Modern Era," *Rights of the People*: *Individual Freedom and the Bill of Rights*, http://uninfo.state.gov/products/pubs/rightsof/modern.htm

18. Chief Justice Warren E. Burger, Introduction, William Swindler, *The Constitution and Chief Justice Marshall* (New York, NY: Dodd, Mead & Company, 1978) p. xiii.

19. James Madison, June 17, 1789, *The Debates and Proceedings in the Congress of the United States*(Washington, DC: Gales and Seaton, 1834) vol. 1, p. 520.

20. *Cooper v. Aaron*, 358, U.S. 1 (1958).

21. Leo Pfeffer, *God*, *Caesar*, *and The Constitution*: *The Court as Referee of Church-State Confrontation* (Boston, MA: Beacon Press, 1975) pp. 30-31.

22. Henry Steele Commager, *The Empire of Reason*: *How Europe Imagined and American Realized the Enlightenment* (New York, NY: Anchor Press/Doubleday, 1977) p. 229.

23. Beliles, Anderson, pp. 138-39.

24. Thomas Jefferson, H.A. Washington, ed., *The Writings of Thomas Jefferson*, 9 vols. (Washington DC: Taylor & Maury, 1854) vol. 8, p. 134.

25. Thomas Jefferson, Andrew A. Lipscomb, ed., *The Writings of Thomas Jefferson*, 20 vols. (Washington, DC: The Thomas Jefferson Memorial Association of the United States, 1905) vol. 15, pp. 331-32.

26. George Mason, David Wootten ed., *The Essential Federalist and Anti-Federalist Papers*(Indianapolis, IN: Hackett Publishing Company, 2003) pp. 1-2.

27. Dennis Woods, *Discipling the Nations*: *The Government Upon His Shoulder* (Franklin, TN: Legacy Communications, 1996) pp. 83-85.

28. Beliles, Anderson, p. 146.

29. Gary North, *Conspiracy in Philadelphia*, p. 278.

30. David Barton, *Original Intent*: *The Courts*, *the Constitution*, *& Religion* (Aledo, TX: Wallbuilder Press, 2005) p. 233.

31. Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: The Institute for Christian Economics, 1990, 1997) p. 107.

32. Otto Scott, "Easy Chair" audiotape #165 (March 10, 1988) distributed by Chalcedon Foundation, P.O. Box 158, Vallecito, CA 95251, quoted in Gary North, *Political Polytheism*: *The Myth of Pluralism*(Tyler, TX: Institute for Christian Economics, 1989) p. 675.

33. Everett Ramsey, *America Today* (Houston, MO: America Today Publishers) October, 1995.

34. Beliles, Anderson, p. 145.

35. Dennis Oliver Woods, *A Handbook of Biblical Law* (Prepublication, 2010) p. 12.

36. Rushdoony, p. 639.

37. Mary Claire Dale, "Scalia Speaks at Villanova University," 16 October 2007, Associated Press, http://abclocal.go.com/wpvi/story?section=news/local&id=5710943.

38. Paul Craig Roberts, "...And Justice for None," *American Free Press*, 16 February 2004.

39. Christian Duty Under Corrupt Government: A Revolutionary Commentary on Romans 13:1-7may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $7 donation.*

40. Leonard Bacon, *Thirteen Historical Discourses*, *on the Completion of Two Hundred Years*, *From the Beginning of the First Church in New Haven*, *With an Appendix* (New Haven, CT: Durrie & Peck, 1839) p. 32.

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 7
Article 4: Republic vs. Theocracy

Section 1

Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records and proceedings shall be proved, and the effect thereof.

Except for the additional power granted to an unbiblical Congress, Clause 1 contains nothing particularly unscriptural.

The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

Section 2, Clauses 1-2

> A person charged in any state with treason, felony, or other crime, who shall flee from justice, and be found in another state, shall, on demand of the executive authority of the state from which he fled, be delivered up, to be removed to the state having jurisdiction of the crime.

Cities of Refuge

Had the constitutional framers intended to be Biblical, in addition to Article 4's provision for interstate extradition, they would have included a provision for cities of refuge:

…ye shall appoint you … cities of refuge … that the slayer may flee thither, which killeth any person at unawares [unintentionally, NASB]. And they shall be unto you cities for refuge from the avenger; that the manslayer die not, until he stand before the congregation in judgment.… Then the congregation shall judge between the slayer and the revenger of blood according to these judgments: And [when the death is unintentional] the congregation shall deliver the slayer out of the hand of the revenger of blood, and the congregation shall restore him to the city of his refuge, whither he was fled: and he shall abide in it unto the death of the high priest.… But if the slayer shall at any time come without the border of the city of his refuge, whither he was fled; and the revenger of blood find him without the borders of the city of his refuge, and the revenger of blood kill the slayer; he shall not be guilty of blood: Because he should have remained in the city of his refuge until the death of the high priest: but after the death of the high priest the slayer shall return into the land of his possession. (Numbers 35:11-28)[1]

Refuge cities are for the protection of the innocent. They provide the means for a person (who might otherwise be killed by a blood avenger) to present his case before an unbiased Biblical court. Because Yahweh's law allows the blood avenger to take the life of a person who kills a relative with impunity *at any time*, the refuge cities also encourage litigation. A murderer has two choices: live the remainder of his life on the run in fear of being put to death by the blood avenger by any means he chooses, or allow a Biblical court to judge his case, which, if it proves him guilty, will also put him to death:

A man who is laden with the guilt of human blood will be a fugitive until death; let no one support him. (Proverbs 28:17, NASB)

The inherent deterrent effect in this law should be self-evident.

This may seem like a difficult statute to apply today, but the cities of refuge are nonetheless a part of Yahweh's judicial system. Under the Old Covenant, the Levitical priests often served as judges (Deuteronomy 17:9-12, 21:5; 1 Chronicles 26:29; 2 Chronicles 19:5-8; Ezekiel 44:24). Jesus[2] is the antitype and fulfillment of the Old Covenant high priest and will never die again. Nevertheless, under the New Covenant, the same protection from a blood avenger can be afforded the person who accidentally kills someone. The death of the chief justice could serve as the replacement for the death of the high priest.

The use of a city of refuge would be an extremely rare occurrence. Most cases would be settled without a city of refuge being required. But for the person who kills someone unintentionally and whose life might be in jeopardy from a blood avenger, a refuge city would provide protection both before and after a trial.

…in England, the privilege of sanctuary existed until abolished by statute in 1623.[3]

Section 2, Clause 3

No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to who such service or labor may be due.

This clause refers to runaway slaves:

This is the last of three compromises respecting slavery. Time has made it obsolete. It related to the fugitive slave. It was designed to over come [*sic*] the decision (1722) of Lord Mansfield, Chief Justice of the King's Bench, fifteen years before in the celebrated case of the Negro, Somerset, that a slave brought by his master from Virginia to England became free.… To apply that principle [of the Lord Mansfield's case] in America would liberate the slave who might flee to a northern State.[4]

Although this clause was made obsolete by Amendment 13, it is nonetheless entirely unbiblical:

Thou shalt not deliver unto his master the servant [slave, NASB] which is escaped from his master unto thee. (Deuteronomy 23:15)

See Chapter 22 "Amendment 13: Constitutional vs. Biblical Slavery" for additional information regarding this statute as it applies to slavery.

Section 4

The United States shall guarantee to every state in this union a republican form of government.…

Sovereignty vs. Sovereignty

Constitutionalists insist the United States government is a republic, not a democracy, but they never stop to consider that the two are virtually the same regarding sovereignty.

Christian Constitutionalists further insist republics are Biblical. However, because republics (like democracies) rely upon the majority vote of the people for the selection of their leaders, rather than upon Yahweh's choice (as per Deuteronomy 17:15), republics are not anymore

Biblical than are democracies. Both democracies and republics culminate in a government of, by, and for the people rather than a government of, by, and for Yahweh. The same is true with other issues voted upon by the people: ultimately the majority's will is exalted over Yahweh's will.

As demonstrated in Chapter 3, both republican and Christian governments are ultimately theocracies. As a result, they are incompatible and hostile to each other. A republic looks to the people as its sovereign; a Christian theocracy looks to Yahweh. The very definition of a sovereign, or supreme ruler, excludes simultaneous sovereigns.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

2. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, "The Third Commandment" may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

3. H.B. Clark, *Clark's Biblical Law* (Portland, OR: Binfords & Mort, 1943) p. 276.

4. Thomas James Norton, "The Constitution For the United States: Its Sources and Its Application: Article IV" http://www.barefootsworld.net/constit2.html.

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 8

Article 5: Inherent Imperfection

The Congress, whenever two-thirds of both houses shall deem it necessary, shall propose amendments to this Constitution, or on the application of the legislatures of two-thirds of the several states, shall call a convention for proposing amendments, which, in either case, shall be valid to all intents and purposes, as part of this Constitution, when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress….

Amendment

Even before the United States Constitution was completed, it provided for its own amendment. In stark contrast, the Scriptures repeatedly command against adding to or taking away from Yahweh's[1] Word:

Now therefore hearken, O Israel, unto the statutes and unto the judgments, which I teach you, for to do them…. Ye shall not add unto the word which I command you, neither shall ye diminish ought from it, that ye may keep the commandments of YHWH[2] your God which I command you. (Deuteronomy 4:1-2)[3]

Every word of God is pure…. Add thou not unto his words, lest he reprove thee, and thou be found a liar. (Proverbs 30:5-6)

…whatsoever God doeth, it shall be for ever: nothing can be put to it, nor any thing taken from it…. (Ecclesiastes 3:14)

That the Constitution provides for both adding to and subtracting from its system of law reflects its lack of perfection and incompatibility with the law of Yahweh. When someone chooses both the Bible *and* the Constitution – as Christian[4] Constitutionalists do – they attempt to integrate the imperfect with the perfect and, in so doing, implicitly choose the imperfect over the perfect.

Amendment by Majority

Nothing in the Constitution is absolutely sacred. Every bit of it can be changed, even to the people's detriment, if that is what a majority of the people desire.[5]

Amendments to the Constitution are achieved democratically by a three-fourths majority vote. But how often has the majority proven righteous?

Enter ye in at the strait gate: for wide is the gate, and broad is the way, that leadeth to destruction, and many there be which go in thereat: Because strait is the gate, and narrow is the way, which leadeth unto life, and few there be that find it. (Matthew 7:13-14)

America is not in the mess she is today because of the minority. Although today's government may not be exactly what the framers envisioned, it is still a *constitutional* government, authorized by (among other things) Article 5's provision for democratic constitutional amendment.

Inspiration

The Constitution pales in comparison with Yahweh's perfect law. How could it be otherwise? One is inspired by man and the other by God:

WE THE PEOPLE of the United States, in order to form a more perfect union, establish justice, ensure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America. (Preamble of United States Constitution)

> All scripture is given by inspiration of God, and is profitable for doctrine, for reproof, for correction, for instruction in righteousness: That the man of God may be perfect, thoroughly furnished unto all good works. (2 Timothy 3:16-17)

Through the centuries since the Constitution's ratification, many people have proclaimed it a divinely inspired document. James Madison, James Wilson, Benjamin Rush, Oliver Ellsworth, John Adams, Benjamin Franklin, George Washington, Charles Pinckney, Alexander Hamilton, and Thomas Jefferson all referred to the Constitution and its government as "miraculous," "from heaven," "the hand of God," "a finger of that Almighty hand," and "the superintending hand of Providence."[6] Rus Walton identified it as "that Divinely-inspired constitutional document."[7] In *Contending for the Constitution*, Mark Beliles and Douglas Anderson made the following baseless claims:

America's Constitution … was in many ways "written not with ink, but with the Spirit of the living God." The spirit behind it is the Spirit of the Lord based upon a biblical world view. Our founders, who authored the Declaration of Independence and the Constitution 11 years later, were filled with an attitude of dependence on God. They looked to Him as the source of their strength and the hope of their success in all major endeavors.[8]

Constitutionalists claim divine inspiration despite the founding fathers' refusal to invoke Yahweh for His assistance during the convention and despite the fact that Yahweh is never acknowledged, called upon, or quoted in the Constitution. Although the first part of his claim is as non-demonstrable as Beliles and Anderson's, John Eidsmoe could not elude the inescapable conclusion that the Constitution is *not* divinely inspired:

God guided and gave his assistance to the writers of the Constitution, but he did not inspire them in the sense that he inspired the authors of Scripture. The fallibility of the Constitution is recognized in the fact that it contains provisions for its own amendment.[9]

Speaking to the national Convention to Secure the Religious Amendment of the Constitution of the United States, held in New York in 1873, Pastor J.P. Lytle of Ohio commented upon the Constitution's *alleged* divine inspiration:

The time was when the Constitution of the United States was regarded as so sacred an instrument, that to speak of amending it, or touching it in any form for the purpose of alteration, would have been regarded as sacrilege. But that time has, in the Providence of God, passed by. In our day, within ten years past, we have seen the Constitution of the United States amended, and amended, again and again; and the idea that it, as first formed, contained the perfection of all human wisdom, has been dissipated, and we have come to discover that it was a delusion.[10]

At the same convention, Illinois' Pastor Jonathan Edwards shared similar sentiments:

…it is our conviction and our boast that this Constitution is the best national charter recorded on the pages of history. But our fathers were not infallible, and the Constitution which they made for us not perfect.[11]

If the Constitution is imperfect, it could *not* have been divinely inspired. Barely one year after the Constitution's ratification, James Madison, the "father of the Constitution," declared:

[It is] the best that could be obtained from the jarring interests of the States….[12]

> I am not a member, if there be any such, who think the Constitution lately adopted a faultless work….[13]

To claim the Constitution is divinely inspired is to be guilty of practices Yahweh condemned:

Her priests have violated my law, and have profaned mine holy things: they have put no difference between the holy and profane…. And her prophets have daubed them with untempered morter, seeing vanity, and divining lies unto them, saying, Thus saith the Lord YHWH, when YHWH hath not spoken. (Ezekiel 22:26-28)

In one sense only can the Constitution claim divine inspiration:

Because they had not executed my judgments, but had despised my statutes, and had polluted my sabbaths, and their eyes were after their fathers' idols. Wherefore I gave them also statutes that were not good, and judgments whereby they should not live…. (Ezekiel 20:24-25)

When we reject Yahweh's law and government, He gives us worthless surrogates in order to bring us to repentance. The more time passes, the more clearly we see that the Constitution is an inherently inferior document. As the years continue their march and as the conditions in America worsen, the superiority and perfection of Yahweh's law and government will become even more apparent.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

2. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of*

YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

3. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

4. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

5. David Gibbs, Jr., David Gibbs III, *Understanding the Constitution*: *Ten Things Every Christian Should Know About the Supreme Law of the Land* (Seminole, FL: Christian Law Association, 2006) p. 82.

6. W. Cleon Skousen, *A Miracle that Changed the World*: *The 5000 Year Leap* (Malta, ID: National Center for Constitutional Studies, 2006) p. i.

7. Rus Walton, *One Nation Under God* (Capitol Station, Washington, D.C.: Third Century Publishers, Inc., 1975) p. 21.

8. Mark A. Beliles, Douglas S. Anderson, *Contending for the Constitution*: *Recalling the Christian Influence on the Writing of the Constitution and the Biblical Basis of American Law and Liberty*(Charlottesville, VA: Providence Foundation, 2005) p. 3.

9. John Eidsmoe, *Christianity and the Constitution*: *The Faith of Our Founding Fathers* (Grand Rapids, MI: Baker Book House Company, 1995) p. 404n.

10. J.P. Lytle, "Address of Mr. Lytle," *Proceedings of the National Convention to Secure the Religious Amendment of the United States* (New York, NY: John Polhemus, 1873) p. 45.

11. Dr. Jonathan Edwards, "Address of Dr. Edwards," *Proceedings of the National Convention to Secure the Religious Amendment of the United States* (New York, NY: John Polhemus, 1873) p. 56.

12. James Madison (2 October 1788), quoted in Gaillard Hunt, ed., *The Writings of James Madison*, 9 vols. (New York, NY: G.P. Putnam's Sons, 1904) vol. 5, p. 298.

13. Madison (2 November 1788), ibid., vol. 5, p. 298.

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 9
Article 6: The Supreme Law of the Land

Clause 1

All debts contracted and engagements entered into, before the adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the confederation.

Debt Perpetuity vs. Debt Cancellation

Section 1 assured public creditors that the United States' new government would honor past debts:

Hamilton put the debt of the Union at $11,710,378 owing in foreign countries and $42,414,085 of domestic debt. The States themselves owed $25,000,000, making debts in the aggregate of $79,000,000.[1]

It was noble that the framers chose to honor the nation's and states' past debts. However, had they intended to abide by Biblical law, this would have been the ideal place to stipulate a return to Yahweh's[2] sabbatical year and its provision for debt cancellation. Without this stipulation, the United States Constitution essentially provided for debt perpetuity, in contrast to Yahweh's law provision for debt cancellation. Every seventh year (known as the sabbatical year) Yahweh requires the cancellation of all debts:
At the end of every seven years thou shalt make a release. …Every creditor that lendeth ought unto his neighbour shall release it; he shall not exact it of his neighbour, or of his brother; because it is called YHWH's[3] release. (Deuteronomy 15:1-2)[4]

The seventh-year release is not a moratorium, but a cancellation of all private and public debts.[5] If the framers (and today's politicians) were earnest about balancing the budget, they would have returned to Yahweh's law and its seventh-year cancellation of debt. Rather than choosing the only means by which America's current budget can ever be balanced, politicians opted to shackle future generations with ever-increasing debt.

Today's ungodly, usurious economic system[6] compounds the problem with each passing year. Under Yahweh's economic system, the budget would never be unbalanced for more than six years. Inflation and recessions would all but disappear. One can only imagine the prosperity Americans would enjoy under such a system. In fact, Yahweh promises that if we obey His law, we will never experience a deficit. Instead of being the world's greatest debtor nation, as we presently are, America would again be the greatest lending nation, as she was in the past when she adhered more closely to Yahweh's law:

…if thou carefully hearken unto the voice of YHWH thy God, to observe to do all these commandments … YHWH [will bless] thee … and thou shalt lend unto many nations, but thou shalt not borrow; and thou shalt reign over many nations, but they shall not reign over thee. (Deuteronomy 15:5-6)

Clause 2

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United

States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.

Supreme Law

The framers were fully cognizant of the word "supreme" and its meaning when they declared the supremacy of the Constitution. In so doing, they made the law of Yahweh subservient to the law of WE THE PEOPLE.

Thus have ye made the commandment of God of none effect by your tradition. Ye hypocrites, well did Esaias prophesy of you, saying, This people draweth nigh unto me with their mouth, and honoureth me with their lips; but their heart is far from me. But in vain they do worship me, teaching for doctrines the commandments of men. (Matthew 15:6-9)

The framers, and today's political leaders and Constitutionalists pay homage to the traditions and commandments of men as the supreme law of the land. Even the Pharisees of Jesus'[7] day weren't so brazen as to call their man-made traditions supreme.

Regardless what Article 6 claims, Yahweh's law reigns above all other so-called laws, including the Constitution. This was evident when John the Baptist told Herod Antipas, "It is not lawful [according to Leviticus 18:16] for you to have her [Herodias, the wife of his brother Philip]" (Matthew 14:4). John placed the Roman Tetrarch, and the entire Roman government, under Yahweh's law.

Constitutionalists who claim to be Christians[8] will predictably add "under God" or "under the Bible" to the declaration in Clause 2. But their authority to do so is not derived from the Bible or the Constitution. This is another futile attempt to make the Constitution a Christian document and a classic case of trying to serve two masters. Either the Constitution must be rejected because it never was subservient to Yahweh's law, or Yahweh's law must be rejected because it demands any inferior constitution be subject to and in concert with its supreme law.

If you choose to promote the Constitution on its own merit, that is your prerogative. However, if you choose to promote the Constitution as a Biblically based document, that is deception and subterfuge. Anyone who chooses the former becomes an idolater; anyone who chooses the latter attempts to provide Biblical sanction for his idolatry.

Supreme God

Here is not a transient compact between parties: it is the institution of government by an act of the highest sovereignty; the decree of many who are yet one; their law of laws, inviolably supreme....

History of the Formation of the Constitution, 1885[9]

A supreme law can only come from a supreme being. The claim that the Constitution is the supreme law of the land is another witness to the clandestine assertion in the Preamble that WE THE PEOPLE is the god of the United States government. Accordingly, it becomes the god of anyone today who looks to the Constitution as the supreme law of the land.
(See Chapter 3 concerning the serious implications of WE THE PEOPLE as a deity.) How can Constitutionalists claim to believe the following passage?

Thine, O YHWH, is the greatness, and the power, and the glory, and the victory, and the majesty: for all that is in the heaven and in the earth is thine; thine is the kingdom, O YHWH, and thou art exalted as head above all. Both riches and honour come of thee, and thou reignest over all; and in thine hand is power and might.... (1 Chronicles 29:11-12)

This and numerous other passages declare Yahweh and His law supreme. Conversely, the Constitution as "supreme law" is a self-contained legal system:

Our Constitution is a closed legal ... system that declares itself and the laws made pursuant to it, to be the supreme law of the land, and that is the only law it allows.[10]

What does this say about the numerous Biblical laws in disagreement with the Constitution? Consider again the following Supreme Court decision:

"...a law repugnant to the Constitution is void."

Marbury v. Madison (1803)[11]

If we believe the law of WE THE PEOPLE is supreme, then all law that contravenes the Constitution, including Yahweh's commandments, statutes, and judgments, is null and void. *Reynolds v. United States* (1879) addressed the Mormon Church's claim that polygamy was a right afforded them under Amendment 1. Because most Americans find polygamy repugnant, the magnitude of Supreme Court Justice Morrison R. Waite's decision is lost on them:

Laws are made for the government of actions, and while they cannot interfere with mere religious belief and opinions, they may with practices.Suppose one believed that human sacrifices were a necessary part of religious worship, would it be seriously contended that the civil government under which he lived could not interfere to prevent a sacrifice?... So here, as a law of the organization of society under the exclusive dominion of the United States, it is provided that plural marriages shall not be allowed. Can a man excuse his practices to the contrary because of his religious belief? To permit this would be to make the professed doctrines of religious belief superior to the law of the land.[12]

Contrary to Matthew 7:21-27 and James 1:22-25, the Supreme Court ruled that a man's actions can be severed and isolated from his faith and judged illegal according to the Constitution and its supplemental edicts. This precedent paved the way for *any* Christian action based upon a Biblical conviction – such as preaching against sodomy – to be arbitrarily outlawed in the same fashion. Had the framers established Yahweh's immutable law and its predetermined morality as the supreme law of the land, polygamy and human sacrifice (and all other issues) would have fallen under *its*jurisdiction and thereby determined to be either lawful or unlawful.

Other Sundry Edicts and Treaties

Not only did the framers establish the Constitution as the supreme law of the land, they also declared all subsequent laws and treaties made under the authority of the United States to be supreme as well. As a result, the treaty made with the Muslims of Tripoli also became a part of the supreme law of the land:

…the government of the United States of America is not, in any sense, founded on the Christian religion....

Treaty with Tripoli, of Barbary, Article 11

This treaty was unanimously approved by the Fifth Congress and signed by President John Adams. Shortly thereafter, it was printed in its entirety in the *Philadelphia Gazette* and in two New York papers. Samuel Adams (second cousin to John Adams) concurred with the Treaty of Tripoli:

> Your Excellencies, will, I hope, excuse me when I differ from you as to our [the United States Constitutional Republic's] having a religion [Christianity] in common with you [England]; the religion of America is the religion of all mankind. Any person may worship in the manner he thinks most agreeable to the Deity; and if he behaves as a good citizen, no one concerns himself as to his faith or adorations, neither have we the least solicitude [care] to exalt any one sect or profession above another.[13]

Even David Barton admitted that the Treaty with Tripoli's declaration is factual:

> …this is not an untrue statement since it is referring to the federal government [as opposed to 18th-century America in general]. Recall that while the Founders themselves openly described America as a Christian nation …, they did include a constitutional prohibition against a federal establishment [of any specific religion]….[14]

Professor Gary T. Amos, former law professor at Regent University and the author of *Never Before in History* and *Defending the Declaration*, two books regarding the influence of Christianity on America's founding, agreed:

> The treaty is nothing more than a pronouncement "that 'the Christian religion' as a formal institution was not a part of the American government…."[15]

For obvious reasons, many people attempt to negate this statement in the Treaty with Tripoli:

> Despite the efforts of some Christian leaders to spin-doctor this document, the statement speaks for itself…. Imagine your church saying that it was "not in any sense founded on the Christian religion," or a member of your congregation telling his neighbor that his own personal faith was "not in any sense founded on the Christian religion." If such words are unfit for Christians and their churches, how are they acceptable in a Christian government? There is simply no context that justifies the statement – other than it being a deliberate denial of Christianity.[16]

If the federal government is not Christian, what is it? At best, it's non-Christian. At worst, it's antichristian. And regardless – thanks to Amendment 1 – it's polytheistic.

America *was* founded upon Christian principles and was at one time a predominately Christian nation. But a distinction must be made between 17th-century *America* and the late 18th-century *United States of America*. Because most Constitutionalists regard it as one uninterrupted, continuous history, they use the terms interchangeably. What occurred in the 18th-century United States of America was an undeniable departure from 17th-century America, which, for the most part, was governed by the supreme law of Yahweh. (See Chapter 3 "The Preamble: WE THE PEOPLE vs. YAHWEH" for information regarding this extremely important distinction.)

Judges Bound Thereby

Clause 2 dictates that “the judges in every state shall be bound” by such treaties. Consequently, every judge – including former Alabama Judge Roy Moore – breaches his oath of office if he attempts to promote the Ten Commandments or anything else Biblical or Christian. In 2003, Constitutionalists and Christians alike protested the State of Alabama’s right to impeach Judge Moore for erecting a memorial to the Ten Commandments in Alabama’s Supreme Court. In an article entitled “You Might Be a Constitutionalist If…,” 2008 Constitution Party Presidential candidate, Pastor Chuck Baldwin posited:

> You might be a Constitutionalist if you believe the federal government had no authority to tell Alabama Chief Justice Roy Moore that he could not display a monument containing the Ten Commandments in the Alabama Judicial Building in Montgomery.[17]

You might be a *true* Constitutionalist if you believe the federal government had constitutional authority, provided by Article 6 and the Treaty with Tripoli, to do just that. On the other hand, because we have no treaties declaring the United States is not a Judaic or Islamic nation, it would not be unconstitutional if a judge were to promote portions of the Talmud or the Koran.

Not only does Clause 2 make the Treaty with Tripoli a part of the supreme law of the land, it confers the same supremacy on the Charter of the United Nations:

> The Charter has become “the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.”
>
> *Sei Fujji v. the State of California* (1952)[18]

Anyone who promotes the Constitution is equally obligated to promote the non-Christian declaration in the Treaty with Tripoli and the United Nations Charter.

Infanticide and Sodomy

All laws passed by Congress, including those that legalize infanticide and promote sodomy, are also the supreme law of the land. These laws could never be a part of a government predicated upon Yahweh’s law. Instead of legalizing these and other abominations, Yahweh’s law condemns infanticide and sodomy[19] as capital crimes. “Laws” legitimizing infanticide and sodomy are only the tip of the insidious iceberg that Christian Constitutionalists are obligated to honor as part of the supreme law of the land:

> The Constitution is like water poured into a cavern. It levels with current religious thought, including atheism, homosexuality and the murder of the unborn.[20]

Clause 3

The senators and representatives before-mentioned, and the members of the several state legislatures, and all executive and judicial officers, both of the United States and of the several states shall be bound by oath or affirmation, to support this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

The Seditious Oath of Office

Baldwin insisted that upholding a sworn oath to the Constitution is equivalent to genuine Christianity:

If America's Christian voters were really serious about selecting and preferring Christians as their rulers, they would certainly expect, yea, even require that their civil magistrates uphold their oath of office, would they not? Would they not insist that their president, their congressman, and every other elected leader live up to their word to support, uphold and defend the U.S. Constitution? How can they say they have elected a Christian to public office if they do not even know whether that person has honored his or her sworn oath to the Constitution? In the final analysis, it is far more important that an elected official be faithful to the Constitution than he or she gives lip service to an insipid Christian profession, is it not? If someone is a true Christian, would they not feel duty-bound to honor their oath to the Constitution?[21]

I agree with Baldwin regarding insipid Christian professions, but to make obedience to a constitutional oath a litmus test for Christianity is equivalent to requiring someone to uphold an oath to Mohammed because Islam and Christianity share some of the same laws and principles. If, after taking the constitutional oath of office, a man comes to his senses, recognizes its treasonous connotations against Yahweh, and breaks his oath in order to keep and promote Yahweh's law, what Christian would presume to identify his violation of his oath of office as unchristian? A true Christian will not insist that presidents, congressmen, and elected officials live up to their word to support, uphold, and defend the United States Constitution. Instead, a true Christian will demand that such officials renounce the Constitution as idolatry, spiritual whoredom, and sedition against Yahweh.

Timothy Baldwin claims the following regarding oaths of office:

The oath of office comes from the notion first that there is a Creator God who implements justice on earth and in life hereafter; he rewards good and punishes bad. It comes from the notion that mankind has a tendency to be evil and will use power at the expense of the people's and individuals' freedom and rights. It comes from the notion that constitutions, elections and even threats of revolts do not adequately prevent politicians from abusing power. Therefore, an oath of office is required to ensure political leaders will bind themselves to the Supreme Law of the Land....

More specifically, an oath is a solemn promise made by the politician to God Almighty, where if the politician breaks his promise, he is calling the wrath of God's punishment upon his life in whatever proportion God feels is justified.[22]

There are at least four problems with Baldwin's statements. First, neither in Article 6, nor in Article 2, is there anything required or even mentioned regarding an oath before or to Yahweh.

Second, even if this was the general practice at the time the Constitution was framed, and even if Section 1, Clause 3 did not forbid religious oaths, Amendment 1 guarantees that oaths of office cannot be administered in the name of or to any specific god.

Third, such oaths are made binding *as a result of punishment*. Nowhere does the Constitution provide such a punishment. Self-maledictory oaths of office, administered in the name of Yahweh, are effectually nullified by Amendment 8's repudiation of cruel and unusual punishments.

Fourth, even if oaths of office were administered in the name of Yahweh, doing so for the purpose of binding oneself to the humanistic, antichristian Constitution as the supreme law of the land invalidates the oath, regardless one's intentions. To swear to support the Constitution as the supreme law of the land is tantamount to swearing *not* to support the law of Yahweh and is equivalent to denying Yahweh as God and swearing by another god:

> A lawful oath consists in calling upon God [Yahweh], the occasion being of sufficient seriousness and importance, to witness the truth of what we affirm as true, or our voluntary assumption of an obligation to do something in the future – with an implied imprecation of God's disfavor if we lie or prove unfaithful to our engagements.... Hence an oath is an act of supreme religious worship, since it recognizes the omnipresence, omniscience, absolute justice and sovereignty of the Person whose august witness is invoked, and whose judgment is appealed to as final.
>
> It hence follows that it is a sin equivalent to that of worshipping a false god if we swear by any other than the only true and living God....[23]

To swear to uphold WE THE PEOPLE's Constitution as the supreme law of the land is the same as swearing to WE THE PEOPLE as god. How could any Christian take such an oath? People argue that we need Christian men in government to keep non-Christians honest or, at least, to check moral decay. But this hasn't worked to date. What if, instead, Christians had never compromised and had insisted on Yahweh's government and law?

> Then Peter and the other apostles answered and said, We ought to obey God rather than men. (Acts 5:29)

The Patriarch Joseph (who served in Egypt's government) and the Prophet Daniel (who served in Babylon's government) are raised as objections. However, Joseph and Daniel, unlike today's so-called Christian politicians, never compromised Yahweh's law in their official capacities. When Daniel's contemporaries Shadrach, Meshach, and Abednego were commanded to commit a Second Commandment transgression by demonstrating obeisance to Nebuchadnezzar's idol (representing his government), they chose instead to be thrown into the fiery furnace.

Religious Tests

The test oath is abhorrent to our tradition.

Girouard v. *United States* (1946)[24]

The phrase "no religious test shall ever be required as a qualification to any office or public trust under the United States" can only be understood within the historical context of the States' religious test oaths:

> State constitutions enacted during the war [for independence] commonly required test oaths for holding public office. Only Protestants could hold public office in New Jersey or sit in the legislatures of Georgia, South Carolina, and New Hampshire, and only those professing "the Christian religion" could hold public office in Maryland or serve in high government positions in Massachusetts. North Carolina limited public office to those who believed in God, the truth of the Protestant religion, and divine authority of both the Old and New Testaments.... Before taking their seats, Pennsylvania legislators had to declare: "I do believe in one God, the creator and governor of the universe, the rewarder of the good and the punisher of the wicked. And I do acknowledge the Scriptures of the Old and New Testament to be given by Divine

inspiration." Delaware went further by requiring all office holders to profess belief in the Trinity and the divine inspiration of the Bible.[25]

The religious oaths of Vermont and Massachusetts are typical of the Christian test oaths at the time of the Constitutional Convention:

The State of Vermont's Constitution, Section IX: A quorum of the house of representatives … shall, each of them, before they proceed to business, take and subscribe, as well the oath of fidelity and allegiance herein after directed, as the following oath or affirmation, viz. *I _________ do solemnly swear, by the ever living God, (or, I do solemnly affirm in the presence of Almighty God) that as a member of this assembly, I will not propose or assent to any bill, vote, or resolution, which shall appear to me injurious to the people*…. And each member, before he takes his seat, shall make and subscribe the following declaration, viz. *I do believe in one God, the Creator and Governor of the universe, the rewarder of the good and punisher of the wicked. And I do acknowledge the scriptures of the old and new testament to be given by divine inspiration, and own and profess the protestant religion*.

The State of Massachusetts' Constitution: I, __________, do declare, that I believe the christian religion, and have a firm persuasion of its truth….

Because Article 6 outlaws the *Christian* test oaths required by early State constitutions, it bans all Biblical qualifications, particularly Deuteronomy 17:15:

Thou shalt in any wise set him king [leader] over thee, whom YHWH thy God shall choose…. (Deuteronomy 17:15)[26]

John Jay, the first Chief Justice of the United States Supreme Court, said the following regarding Christian leadership:

Providence has given to our people the choice of their rulers, and it is the duty, as well as the privilege and interest, of our Christian nation to select and prefer Christians for their rulers.[27]

This quotation is often employed in an attempt to counteract the antichristian implications of Article 6. But the personal preferences of Jay and others do not alter Article 6's interdiction against Christian qualifications for public service. It is important to note that Jay did not identify the United States *government* as Christian, but, instead, he used the term "our Christian nation." Eighteenth-century America was still predominately Christian (albeit significantly compromised) in its religion and demeanor, but its national government was neither Christian nor Biblical. Although it was inevitable that Christian influence affected government in 1788, that influence has diminished significantly as time has passed and our government has become more strictly constitutional. Most people believe the Constitution is Christian but that it has been exploited by secular humanists, when, in fact, the exact opposite is true:

…the Constitution removed religious test oaths as judicial requirements for judges and officers of the new national government. This, in and of itself, delivered the republic into the hands of the humanists. Nothing else was necessary after that. From that point on, the secularization of America; was a mopping-up operation. This operation is still in progress. Those being mopped up are unappreciative, but they cannot seem to identify when the turning point came. It came in 1788.[28]

Because Article 6 is aggressively antichristian, Christian Constitutionalists seldom discuss it. When they do, their argument goes something like this:

> This [differing religious opinions among the constitutional delegates] led the representatives to guard the states from federal intrusion, preserving the authority of the states to establish their own religious parameters. Let the several states work out religious issues on their own terms. There was no need for the federal government to meddle in an area in which the national government would have no jurisdiction. The prohibition of a religious test "as a qualification to any office or public trust under the United States" applied only to *national* office holders: congressmen, senators, the president, and Supreme Court Justices.[29]

This rationalization sidesteps the problem. Are we to believe that congressional representatives, presidents, and Supreme Court justices on the national level are exempt from the Biblical qualifications for leaders? If anything, such qualifications are more crucial on the national level.

State Concerns

Although the religious test clause was overwhelmingly approved with little discussion at the Constitutional Convention, it was hotly debated in several of the States' ratifying conventions:

> Amos Singletary, … delegate to the Massachusetts ratifying convention, was upset at the Constitution's not requiring men in power to be religious "and though he hoped to see Christians [in office], yet by the Constitution, a papist, or an infidel was as eligible as they." … Henry Abbot, a delegate to the North Carolina convention, warned that "the exclusion of religious tests" was "dangerous and impolitic" and that "pagans, deists, and Mahometans might obtain offices among us [and the Senators and representatives might all be pagans]." If there is no religious test, he asked, "to whom will they [officeholders] swear support – the ancient pagan gods of Jupiter, Juno, Minerva, or Pluto?"[30]

Gary DeMar declared, "The most base pagan practices – child killing and sodomy – are now accepted in our nation's capital as fundamental constitutional rights. Massachusetts voters have sent two acknowledged sodomites to Congress every two years. [Henry] Abbot knew what he was talking about."[31]

> Virginia [attempted] … to change the wording of Article 6 itself. "No religious test shall ever be required as a qualification to any office of public trust under the United States" became "no *other* religious test shall ever be required *than a* belief in the one only true God, who is the rewarder of the good, and the punisher of the evil." This change was rejected.[32]

If only today's Christians were equally concerned.

> In the North Carolina convention a delegate protested that "in a political view, these gentlemen who formed this Constitution should not have given this invitation to Jews and heathens." James Iredell, later a Justice of the Supreme Court, conceded that the people might "perhaps choose representatives who have no religion at all, and that pagans and Mahometans [might] be admitted into offices." But how, he asked, was "it possible to exclude any set of men, without taking away that principle of religious freedom which we ourselves so warmly contend for?"[33]

Governor Johnson agreed with Iredell, but assured the convention that while "Jews and pagans" could conceivably be elected, it was not very probable that this would happen."[34]

History has proven Johnson wrong. Many Christians today laud the constitutional idea of freedom of religion, which allows gods other than Yahweh to be worshipped in our country. Thanks to Article 6 and so-called Christians then and now, the ambassadors of those other gods are now government leaders who are helping to establish their gods' "morality" as the laws of this nation.

Abolition of the States' Christian Test Oaths

The federal ban on religious test oaths almost immediately began to affect the States:

> The federal test oath clause apparently had a liberalizing effect on the states. The Pennsylvania Constitution of 1790 contained a much weaker religious test than its constitution of 1776, and by 1793, Delaware, South Carolina, Georgia, and Vermont had removed religious tests from their constitutions. The revision of Pennsylvania's test oath of 1776 resulted in part from the efforts of Philadelphia's Jewish community. In December 1783, the city's one synagogue submitted a memorial to the civil authorities objecting to the requirement that state legislators acknowledge the divine inspiration of the Old and New Testaments. Four years later, Jonas Phillips, a Philadelphia Jew, petitioned the Federal Constitutional Convention concerning the same provision. The Pennsylvania Constitution of 1790 accommodated the Jewish requests, requiring only that state officials acknowledge "the being of a God and a future state of rewards and punishments."[35]

> In addition to Pennsylvania, various other states, following New York's example and Virginia's Notable Act for Religious Freedom of 1785, removed political restrictions against the Jews. Georgia acted in 1789; South Carolina did so simultaneously with Pennsylvania; Delaware removed the bars in 1792; and Vermont a year later. Still other states were slower to respond to Enlightenment currents. For example, the disqualification in the Maryland Constitution of 1776 barring Jews from public office was not removed until 1825. Rhode Island did not secure equal rights for the Jews until the adoption of its constitution in 1842, and North Carolina not until 1868. …[I]t was the federal government rather than the states which provided the most vigorous impetus to the movement.[36]

Compromise is a journey halfway down the road to surrender. Somewhere along that road, the remaining state constitutions' religious test oaths were ruled violations of the federal Constitution. The last to hold out was Maryland, but, in 1961, its remaining religious test oath was quashed as well. Since the ratification of the federal Constitution and the eradication of the States' Christian test oaths, the nation's laws – including America's current legislation concerning capital punishment and infanticide – have reflected Talmudic law more than Biblical law.

That the States' Christians test oaths were eliminated should not surprise anyone. In Matthew 7:13, we are informed that "wide is the gate, and broad is the way, that leadeth to destruction, and many there be which go in thereat." Because constitutional power is in the hands of people, it was inevitable the majority of the people (or the courts representing them) would eventually rule against the States' Christian oaths.

Polytheistic Repercussions

The ban on the religious test clause was issued, not because a federal test was deemed unnecessary in light of the States' constitutions, but, instead, to pave the way for deists, atheists, and even antichrists to hold public office. It was *not* the intent of the constitutional framers to leave the decision of religion solely to the States. While it is true that the prime motivation for the two religious clauses found in the Constitution *appears* to have been liberty of conscience in religious matters, the framers were not opposed to non-Christian or even antichrist religions. The framers had liberty for all religions in mind when they forbade Christian test oaths, as evidenced in their writings. Two years before the Constitutional Convention, James Madison wrote the following:

> Who does not see that the same authority which can establish Christianity, in exclusion of all other Religions, may establish with the same ease any particular sect of Christians, in exclusion of all other Sects?[37]

This was written in opposition to a state bill introduced by Patrick Henry entitled "A Bill establishing a provision for Teachers of the Christian Religion," introduced into the General Assembly of Virginia. When Madison was sent as a delegate to the Constitutional Convention, he was already prejudiced against an exclusively Christian society. Following the Convention, he again bared his polytheistic leanings:

> Twice in February 1788, in the *Federalist* Nos. 51 and 56, James Madison cited the "no religious test" clause as one of the glories of the new Constitution. "The door," Madison wrote, "of the Federal Government, is open to merit of every description, whether native or adoptive, whether young or old, and without regard to poverty or wealth, or to any particular profession of religious faith."[38]

The framers well understood the polytheistic implications of a ban on Christian test oaths. In a letter to the Honorable Thomas Cockey Deye, Speaker of Maryland's House of Delegates, Luther Martin, attorney-general of Maryland and one of Maryland's delegates to the federal Constitutional Convention, noted that the convention delegates were generally unconcerned regarding the pluralistic implications of Article 6's ban on Christian test oaths:

> The part of the system which provides, that no religious test shall ever be required as a qualification to any office or public trust under the United States, was adopted by a great majority of the convention, and without much debate; however, there were some members so unfashionable as to think, that a belief of the existence of a Deity, and of a state of future rewards and punishments would be some security for the good conduct of our rulers, and that, in a Christian country, it would be at least decent to hold out some distinction between the professors of Christianity and downright infidelity or paganism.[39]

Article 6 not only eliminated Christian qualifications for office holders, it paved the way for Jews, Muslims, Hindus, and atheists to be presidents, congressmen, and judges. It became the initial means by which America was transformed from a monotheistic Christian nation to a polytheistic one.

On both the state and federal levels, Jews[40] were instrumental in the removal of the Christian test oaths and were the first to reap the rewards of these prohibitions:

> By the end of the Revolution, Jews had been chosen not only to local posts in some cities, but had also been selected for more responsible positions in many parts of the country. There was no inclination to bar these people from public office and generally the question of the

offensive oaths had only to be raised to be resolved. Thus the Jews of Philadelphia [led by Jonas Phillips], in 1783-84, protested as a "stigma upon their nation and religion" the requirement that members of the General Assembly take an oath affirming belief in the New Testament. The revised constitution of Pennsylvania, a few years later, explicitly barred the disqualification on account of religious sentiments of any person "who acknowledges the being of a God and future state of rewards and punishments."[41]

The Universal Jewish Encyclopedia affirms that "This petition [by the Jews of Philadelphia] later on proved to be instrumental in the revision of the Pennsylvania state constitution in such a manner as to abolish the religious test."[42] On September 7, 1787, Jonas Phillips, a founder of Philadelphia's Mikveh Israel Synagogue, also petitioned the framers at the federal Constitutional Convention:

Sires: ... It is well known among all the citizens of the 13 United States that the Jews have been true and faithful Whigs, and during the late contest with England they have been foremost in aiding and assisting the states with their lifes [sic] and fortunes. They have supported the cause, have bravely fought and bled for liberty which they can not [sic] enjoy.

Therefore if the honourable convention shall in their wisdom think fit and alter the said oath [as found in the altered Pennsylvania Constitution] and leave out the words to viz.: "and I do acknowledge the Scripture of the New Testament to be given by divine inspiration," then the Israelites [Jews] will think themselves happy to live under a government where all religious societys [sic] are on an equal footing....

Your most devoted obed. Servant, Jonas Phillips Philadelphia, 24th Ellul, 5547, or Sep'r 7th 1787.[43]

Phillip's petition undoubtedly bore weight with the framers, as did the personal relationships many of the framers shared with Jews. Under the heading "Jewish Influence on the Framing of the Constitution," *The Jewish People's Almanac* brags about George Washington's, Benjamin Franklin's, and James Madison's personal relationships with Jews:

Had the Constitutional Convention been open to the public, more than one eminent Jew would have had no difficulty in mingling on terms of equality with many of the best-known delegates. To George Washington, who presided over the sessions, Jews were of course no strangers. During the revolution he had on his personal staff Manuel Mordecai Noah of South Carolina, David Salisbury Franks of Philadelphia, and Major Benjamin Nones, a French volunteer....

Benjamin Franklin, the oldest member of the Constitutional Convention, numbered many Philadelphia Jews among his friends. ...[H]e was sufficiently friendly with them to be one of the contributors to the building fund for Philadelphia's first synagogue, Mikveh Israel. Samuel Keimer, an English printer who was one of Franklin's first employers, was a Jew.

Virtually all of the delegates knew Haym Salomon, who died two years before the convention met. Six of the delegates had long been dependent on his generosity for their own livelihoods or for the maintenance of the particular government function for which they were responsible. ...James Madison, a future President, sought out Salomon. Madison's papers record his indebtedness to the Jewish financier, who refused both a note and interest.[44]

Michael Alexander summed up Article 6 and Amendment 1’s impact upon equal rights for American Jews:

Although the Constitution of the United States does not specifically mention Jews, its religious liberty provisions in essence granted Jews the honor of citizenship. The United States was thus the first non-Jewish country, ancient or modern, that included Jews as political equals.... The Constitution of the United States prohibited a religious test for government (Article VI), and the First Amendment prohibited Congress from establishing any religion, thus permitting Jews to participate as equal citizens on the federal level.... By 1820, most state constitutions eliminated religious qualifications that had kept Jews from participating in public affairs and government office....[45]

Article 6 opened the door for Jews, Muslims, and other non-Christians to serve in official government capacities. It was not only an open defiance of the First Commandment, but an unequivocal contravention of the Apostle Paul’s admonition to the Corinthians:

Be ye not unequally yoked together with unbelievers: for what fellowship hath righteousness with unrighteousness? and what communion hath light with darkness? And what concord hath Christ with Belial? or what part hath he that believeth with an infidel? And what agreement hath the temple of God with idols? For ye are the temple of the living God; as God hath said, I will dwell in them, and walk in them; and I will be their God, and they shall be my people. Wherefore come out from among them, and be ye separate, saith the Lord, and touch not the unclean thing; and I will receive you, and will be a Father unto you, and ye shall be my sons and daughters, saith the Lord Almighty. (2 Corinthians 6:14-18)

As important as Paul’s directive is for personal relationships, how much more crucial that it be applied to those who govern others? The ramifications are much greater.

Hear this word that YHWH hath spoken against you.... Can two walk together, except they be agreed? (Amos 3:1-3)

The constitutional framers made it possible for Christians and non-Christians to be unequally yoked in official capacity. The first to take advantage of Article 6’s antichristian prescription were, not surprisingly, antichristians. As it concerns antichristian and antichrist rhetoric, all other religious books of faith pale in comparison to the Babylonian Talmud.[46] In his book *You Gentiles*, Jewish author Maurice Samuel provides a candid confession regarding the incongruity of Jews and gentiles, which is principally attributable to their distinct and adverse religions:

I have said, “There are two life-forces in the world I know: Jewish and gentile, ours and yours.”... We have lived for many centuries in close contiguity, if not intimacy.... Yet the cleavage is there, abysmal and undeniable. In the main, we are forever distinct. Ours is one life, yours is another.... [Y]our system of morality is no less a need to you than ours to us. And the incompatibility of the two systems is not passive. You might say: “Well, let us exist side by side and tolerate each other. We will not attack your morality, nor you ours.” But the misfortune is that the two are not merely different. They are opposed in mortal, though tacit, enmity. No man can accept both, or, accepting either, do otherwise than despise the other. ... [t]he preferences and aversions which I here express will at least serve to make clear the irreconcilable difference between Jewish and gentile morality.[47]

Because of the incompatibility between Judaism and Christianity, one religion must give way to the other. An honest appraisal of what has transpired in America since the ratification of the Constitution makes it evident which religion has lost ground. There is no surer way to fulfill Jesus' statement in Matthew 12:25 ("a house divided against itself cannot stand") than to join Christians and antichristians in official government capacities.

Separation of Church and State

Christian Constitutionalists often point out that the phrase "separation of church and state" is found in the Constitution of the USSR, not the Constitution of the United States. This is true. Nevertheless, the mandate for separation of church and state is inherent in Article 6 on two levels: 1) The Constitution is declared to be the supreme law of the land, which makes any law (secular or Biblical) contrary to this "supreme law" null and void and non-executable by the Constitutional Republic, 2) Religious qualifications for government officials are denied, which prohibits Biblical qualifications:

> …the elimination of a public oath to uphold the Kingship and Law of Jesus Christ in the civil realm automatically erected an ethical "wall of separation" between the Crown Rights of Christ and the new Federal Government, thereby barring all Christians from ever holding public office from that time forward. The fact that professing, and no doubt many genuine, Christians continued in the new system to hold such offices does not negate this assertion. It only demonstrates the "intellectual schizophrenia" (the term is R.J. Rushdoony's) among Christians that has plagued the church for the last two thousand years….[48]

Coral Ridge Ministries attacked the American Civil Liberties Union's (ACLU) position on separation of church and state:

> The ACLU and others insist that the nation's Founders [constitutional framers] wanted America's government free from religious influence – especially Christian influence. They have used the myth about the so-called "separation of church and state" to take prayer out of school … the Ten Commandments out of courthouses … and God out of public life.[49]

As much as I hate agreeing with the ACLU, I am compelled to do so in this instance. The ACLU is correct because of Article 6 alone. Dr. James Dobson conceded that Christians have lost the culture war:

> The battles that we fought in the Eighties … trying to defend righteousness, trying to defend the unborn child, trying to preserve the dignity of the family and the definition of marriage. We fought all those battles and really it was a holding action. …[W]e are absolutely awash in evil. And we are right now in the most discouraging period of that long conflict. Humanly speaking, we can say that we have lost all those battles….[50]

Christians have spent the last two centuries lopping at the rotten fruit of the corrupt tree rather than destroying its roots. Instead of arguing with the ACLU and trying to prove something historically impossible about the framers and the Constitution, we must do everything we can to help a future generation to throw off our constitutional government and establish a government predicated solely upon Yahweh's commandments, statutes, and judgments.

The intent and effect of the religious test clause was a deliberate calculation to prevent Christianity from dictating government policy. It was Article 6's antichristian provision that was one of the major concerns of that day's anti-Constitutionalists:

God and Christianity are nowhere to be found in the American Constitution, a reality that infuriated many at the time…. Its utter neglect of religion was no oversight; it was apparent to all. Self-consciously designed to be an instrument with which to structure the secular politics of individual interest and happiness, the constitution was bitterly attacked for its failure to mention God or Christianity. Our history books … seldom mention … the concerted campaign to discredit the Constitution as irreligious, which for many of its opponents was its principal flaw. It is as if recognizing the dimension of this criticism would draw too much attention to what was being attacked – the secularism of the Constitution. In fact, this underdocumented and underremembered controversy of 1787-88 over the godless Constitution was one of the most important public debates ever held in America over the place of religion in politics. The advocates of a secular state won, and it is their Constitution we revere today.[51]

The framers intended to sever Christianity's influence from the public arena and, in effect, confine Christianity to the four walls of the church buildings.

The voters had not been willing to require of their national representatives what most states required of state representatives: an oath of allegiance to God and His Bible. The voters had been embarrassed by God. The Framers were not embarrassed by Him; they simply prohibited any public oath to Him in their new covenant document. They regarded Him as some sort of senile Uncle who could be trotted out on holidays, counted on to make a toast or two – judicially non-binding, of course – and then be sent back to His retirement home.[52]

We can debate the intent of the framers, but we cannot debate the effect: Christendom became merely Christianity – salt that lost its savor and good for nothing but to be trampled under the foot of non-Christians. American Christians have been under the boot of non-Christians and antichrists ever since 1788. We will continue to be the trampled until finally we throw off the current secular government and erect a government based upon Yahweh's law.

The Preamble's opening words "WE THE PEOPLE" were a *new* declaration of independence, in which the framers declared themselves free from Yahweh's sovereignty and placed their faith in themselves as sovereign. Article 6's prohibition against Christian test oaths announces, "Thou shalt have no other sovereigns before the deity WE THE PEOPLE." Not surprisingly, the United States Government is fixated on monotheistic Christianity as its religion of choice to oppress and persecute.

In 2 Samuel 23:3, Yahweh declared, "He who rules over men must be just, ruling in the fear of God." The framers did *not* legislate so that men would rule in the fear of Yahweh. They left Yahweh completely out of the document, and, in Article 6, they even provided for Jews, Muslims, Hindus, and atheists to rule in the fear of their gods or the god WE THE PEOPLE. Nothing has transformed the political, legal, religious, spiritual, and moral environment of modern America more powerfully than Article 6. If you want to know why America is now non-Christian and even antichristian, look to Article 6. This is why the Constitution is the single most important issue facing Christians who hope to reclaim dominion in fulfillment of their New Covenant commission:

For the weapons of our warfare are not of the flesh, but divinely powerful for the destruction of fortresses. We are destroying speculations and every lofty thing raised up against the knowledge of God, and we are taking every thought captive to the obedience of Christ, and we are ready to punish all disobedience, whenever your obedience is complete. (2 Corinthians 10:4-6, NASB)

Click to order the *Bible Law vs. The United States Constitution* CDs:

- •The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- •The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. Thomas James Norton, "The Constitution For the United States: Its Sources and Its Application: Article VI" http://www.barefootsworld.net/constit7.html.

2. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

3. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

4. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

5. For a more thorough explanation concerning this Fourth Commandment statute and others, "The Fourth Commandment" may be read online, or the book *Remember the Sabbath day, to keep it holy*may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

6. For a more thorough explanation concerning the Bible's condemnation of usury, "The Eighth Commandment" may be read online, or the book Thou shalt not steal may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $6 donation.*

7. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

8. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and*

More may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

9. George Bancroft, *History of the Formation of the Constitution*, 5 vols. (New York, NY: D. Appleton and Company, 1885) vol. 3, p. 357.

10. Thomas James Norton, *The Constitution of the United States*, *Its Sources and Its Application*, published by the Committee for Constitutional Government, circa 1922, http://www.barefootsworld.net/constit1.html.

11. *Marbury v. Madison*, 5 US (2 Cranch) 137, 164, 176 (1803).

12. *Reynolds v. United States*, 98 U.S. 145 (1879).

13. Samuel Adams, letter to the Earl of Carlisle and Others, Harry Alonzo Cushing, ed., *The Writings of Samuel Adams*: *1778-1802*, 4 vols. (New York, NY: G. P. Putnam's Sons, 1908) vol. 4, p. 34.

14. David Barton, *Original Intent*: *The Courts*, *the Constitution*, *& Religion* (Aledo, TX: WallBuilder Press, 4th Edition, 1st Printing, February 2005) p. 127.

15. Gary T. Amos, *Defending the Declaration* (Brentwood, TN: Wolgemuth and Hyatt, 1989) p. 9, quoted in Gary Demar, *America's History*: *The Untold Story* (Powder Springs, GA: 1993 /2008) p. 135.

16. Christian J. Pinto, "The Church in Secret Societies," *Twenty Experts Advise You on How to Overcome the Most Frightening Issues You WILL Face This Century* (Crane, MO: Defender: A Division of Anomalos Publishing House, 2009) pp. 158-59.

17. Chuck Baldwin, "You Might Be A Constitutionalist If....", 28 January 2005, Chuck-Wagon Email Commentary, www.chuckbaldwinlive.com/c2005/cbarchive_20050128.html.

18. *Sei Fujii v. the State of California*, "Opinion of the District Court of Appeal, Second District, Division 2, California, April 24, 1952," in United States Congress, Senate Committee on Foreign Relations, *Review of the United Nations Charter*: *Report of the Subcommittee on the United Nations Charter*, *pursuant to the provisions of the 83rd Congress*, *2d Session Senate Document No. 87 – Subcommittee on the United Nations Charter Pursuant to S. Res. 126*, *83rd Congress*, *1st Session … April 23*, *1956*, p. 288.

19. For information regarding Yahweh's condemnation of infanticide and sodomy, "The Sixth Commandment" and "The Seventh Commandment" may be read online hereand here, or the books *Thou shalt not kill* and *Thou shalt not commit adultery* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 and $6 donation, respectively.*

20. John Spencer, *The Constitution of the United States*: *A Man Inspired Document*!, p. 4.

21. Chuck Baldwin, "What Would John Jay Say Today?," 16 November 2004, Chuck-Wagon Email Commentary, www.chuckbaldwinlive.com.

22. Timothy N. Baldwin, JD., "Impeach the Traitors!", 6 April 2010, NewsWithViews.com, http://www.newswithviews.com/Timothy/baldwin130.htm.

23. A.A. Hodge, D.D., *A Commentary on the Confession of Faith*: *With Questions for Theological Students and Bible Classes* (London, UK: T. Nelson and Sons, 1901) p. 287.

24. *Girouard v.* United States, 328 U.S. 61, 69 (1946).

25. Arlin M. Adams and Charles J. Emmerich, *A Nation Dedicated to Religious Liberty*: *The Constitutional Heritage of the Religious Clauses* (Philadelphia, PA: University of Pennsylvania Press, 1990) p. 14.

26. See Chapter 5 “Article 2: Executive Usurpation” for the Biblical qualifications and the means to determine Yahweh’s choice of leaders.

27. John Jay, quoted in William Jay, *The Life of John Jay*, 2 vols. (New York, NY: J. & J. Harper, 1833) vol. 2, p. 376.

28. Gary North, *Conspiracy in Philadelphia*: *The Broken Covenant of the U.S. Constitution* (Draper, VA: Nicene Council.com, 2004) p. 90.

29. Gary DeMar, “God and the Constitution,” 4 November 2005, http://www.americanvision.org/article/god-and-the-constitution/.

30. Isaac Kramnick and R. Laurence Moore, *The Godless Constitution*: *A Moral Defense of the Secular State* (New York, NY: W.W. Norton & Company, 1966) p. 32.

31. Gary DeMar, *America’s Christian History*: *The Untold Story* (Powder Springs, GA: 1993 / 2008) p. 160.

32. Kramnick, Moore, p. 37.

33. Leo Pfeffer, “Shaping Our Legal History: Jews, Jewry and the American Constitution,” *Jewish Digest*, condensed from American Jewish Archives Pamphlet Series (Cincinnati, OH: American Jewish Archives, June 1983) p. 5.

34. Ibid.

35. Adams, Emmerich, p. 16.

36. Jonathan D. Sarna, Benny Kraut, Samuel K. Joseph, eds., *Jews and the Founding of the Republic*(New York, NY: Markus Weiner Publishing, 1985) p. 25.

37. James Madison, Gaillard Hunt, ed., *The Writings of James Madison*, 9 vols. (New York, NY: G.P. Putnam’s sons, 1904) vol. 2, p. 186.

38. Kramnick, Moore, p. 38.

39. Luther Martin, “The Genuine Information, Laid Before The Legislature Of Maryland…,” *Secret Proceedings and Debates of the Constitutional Convention 1787*, entered according to Act of Congress, in the year 1838 (Hawthorne, CA: Omni Publications, 1986) pp. 89-90.

40. Today’s Jewish people are known as Jews not because of physical descent from Abraham, Isaac, and Jacob, but because their Khazarian predecessors adopted the religion of Judaism (Talmudism) between the seventh and ninth centuries AD. For a more thorough explanation regarding the identity of today’s Jews,*God’s Covenant People: Yesterday, Today and Forever* (which includes over 700 documented quotations, many of them from Jewish sources) may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

41. Sarna, Kraut, Joseph, p. 90.

42. “Salomon, Haym,” *The Universal Jewish Encyclopedia*, 10 vols. (New York, NY: The Universal Jewish Encyclopedia, Inc., 1941) vol. 9, p. 324.

43. Jonas Phillips, quoted in Jacob Rader Marcus, ed., *The Jew in the American World*: *A Source Book* (Detroit, MI: Wayne State University Press, 1996) pp. 99-100.

44. "Jewish Influence on the Framing of the Constitution," *The Jewish People's Almanac*, David C. Gross, ed. (New York, NY: Hippocrene Books, Inc., 1988) p. 3.

45. Michael Alexander, "Jews, 1754-1820s," *Encyclopedia of American History*: *Revolution and New Nation*, *1761 to 1812*, Paul A. Gilje and Gary B. Nash, eds. (New York, NY: Facts on File, Inc, 2003) American History Online, www.fofweb.com.

46. For documentation regarding the antichristian and antichrist nature of the Babylonian Talmud, *God's Covenant People: Yesterday, Today and Forever* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

47. Maurice Samuel, *You Gentiles* (New York, NY: Harcourt, Brace and Company, 1924) pp. 95-96.

48. Greg Loren Durand, "An Oath is an Act of Worship," *The U.S. Constitution – America's Covenantal Apostasy* (Dahlonega, GA: Crown Rights Book Company) p. 4.

49. Brian E. Fisher, *Coral Ridge Ministries Ministry Letter*, July 2007.

50. Ryan Powers, "Dobson concedes that the far right has 'lost' the culture," 12 April 2009, http://thinkprogress.org/2009/04/12/dobson-defeated/.

51. Kramnick, Moore, pp. 27-28.

52. Gary North, *Political Polytheism*: *The Myth of Pluralism* (Tyler, TX: Institute for Christian Economics, 1989) p. 459.

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 10
Article 7: More of the Same

The ratification of the conventions of nine states, shall be sufficient for the establishment of this Constitution between the states so ratifying the same.

Done in convention by the unanimous consent of the states present, the seventeenth day of September, in the year of our Lord, one thousand seven hundred and eighty seven, and of the independence of the United States of America the twelfth in witness whereof we have hereunto subscribed our names.

Article 7 concludes the United States Constitution as originally proposed and attested to by forty signatories on September 17, 1787. It was ratified by the people of the States on June 21, 1788. The Preamble and Article 7 are two bookends to what President Abraham Lincoln described in his Gettysburg Address as a "government of the people, by the people, for the people," in opposition to a government of Yahweh,[1]by Yahweh, and for Yahweh.

"In the Year of Our Lord"

Christians[2] are desperate to make the Constitution a Christian document. For example, consider how much Archie Jones read into the phrase "in the Year of our Lord," which dated the signatures of the thirty-nine state delegates and the Convention secretary:

…the plain implications of the reference ["in the year of our Lord"] are the same as those of the similar references in the *Articles of Confederation* (or anywhere else!): The Bible is true. Christ is the Savior. Christ, risen from the grave, ascended into heaven, and seated at the right hand of God the Father, is also the Lord, the sovereign Ruler of heaven and earth. The people of these United States are under the authority of Christ, whom they collectively acknowledge to be Lord. They have a special, covenantal relationship with Him, and that relationship, premised on His providential intervention in and rule of history, involves His blessings on the nation which has faith in Him and keep His commandments, and curses on the nation which collectively turns from faith in Him and so violates His holy laws. Hence, the nation must look to Him, and it and its civil governments must obey His laws.[3]

> Moreover, since Christ's lordship is recognized in the Constitution, the American nation has a covenantal relationship to him. This covenantal relationship recognizes his lordship, his providential rule over history, his providential relationship to the American civil government and people.[4]

If what Jones claims is true, certainly somewhere in the Convention minutes, the copious Federalists Papers, or the constitutional framers' personal correspondence, one of them would have remarked that this was, in fact, their intent. Nothing Christian can be proven by the use of the term "in the year of our Lord" anymore than the declaration "God bless America," declared by so many politicians today, proves their Christianity. The only thing we know unequivocally about the use of "in the year of our Lord" is that it was a means of dating. Christians who were opposed to the Constitution during the ratification debates because it failed to mention God and Christianity were not reassured by the phrase "in the year of our Lord," and, in fact, the opposition knew better than to *attempt* to persuade them with such flimsy "evidence."

Even if each and every one of the signatories would have agreed with Jones, their rejection and replacement of Yahweh's laws with their own traditions eradicated any Christian implications. The phrase "in the year of our Lord" does not make the Constitution a Christian document, nor does it exonerate the framers of the sedition and treason against Yahweh found throughout the document. What proves the Constitution is not a Christian but a secular, humanistic contract are its "laws," not its terminology.

The test of lordship is not found in mere words, but instead in doing the will (the law – Psalm 40:8) of the Heavenly Father and fulfilling the words of His Son:

And why call ye me, Lord, Lord, and do not the things which I say? Whosoever cometh to me, and heareth my sayings, and doeth them, I will shew you to whom he is like: He is like a man which built an house, and digged deep, and laid the foundation on a rock: and when the flood arose, the stream beat vehemently upon that house, and could not shake it: for it was founded upon a rock. But he that heareth, and doeth not, is like a man that without a foundation built an house upon the earth; against which the stream did beat vehemently, and immediately it fell; and the ruin of that house was great. (Luke 6:46-49)[5]

Would Jones accept "in the year of our Lord" as a genuine profession of Christian faith from someone wanting to place membership in the church he attends? The previous Scripture demonstrates that such simple declarations, by themselves, mean nothing to Yahweh. Even if the framers intended this statement as an acknowledgment of the God of the Bible, Jesus[6] declared that, if their works proved otherwise, He would still reject them. Christians are grasping at straws when they claim the statement "in the year of our Lord" makes what is otherwise unchristian Christian. That this is the best Christian Constitutionalists can come up with only further proves that the Constitution is, in fact, *not* Christian.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

2. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

3. Archie P. Jones, *The Influence of Historic Christianity on Early America* (Vallecito, CA: 1998) p. 66.

4. Archie P. Jones, "The Myth of Political Polytheism: A Review by Archie P. Jones," *The Journal of Christian Reconstruction* (Vallecito, CA: Chalcedon, 1996) p. 280.

5. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

6. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although there is a suggested price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 11
Amendment 1: Government-Sanctioned Polytheism

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

The Amendments

The Amendments to the United States Constitution would have been unnecessary had the late 18th-century Americans chosen the perfection of Yahweh's[1] law. The Bible's interdictions against ammending Yahweh's law (Deuteronomy 4:1-2, etc.) do not, in themselves, prove His law is perfect. However, the Constitution has been amended twenty-seven times (as of 2012), which categorically proves its imperfection.

It is understandable that non-Christians, atheists, Jews, Muslims, and Hindus would choose the Constitution over the Christian Bible. However, for someone who believes in the perfection of the Bible to uphold the Constitution as the supreme law of the land makes no sense whatsoever. The Constitution has proven itself flawed, in need of amendment, and, worse, Biblically errant. Christians[2] who keep turning to it for inspiration, direction, and protection are as irrational as a wife who keeps returning to and defending an abusive husband.

The Bill of Rights

The first Ten Amendments, commonly known as the Bill of Rights, were a compromise between the constitutional framers and the anti-federalists who opposed the Constitution as originally framed. In theory, the Bill of Rights protects, among other things, the "unalienable rights" of "life, liberty, and the pursuit of happiness." But have life, liberty, and happiness been advanced or protected since their ratification?

One often hears that the Bill of Rights was based upon God-given rights. In 1954, Supreme Court Chief Justice Earl Warren alleged the following comparison:

I believe the entire Bill of Rights came into being because of the knowledge our forefathers had of the Bible and their belief in it: freedom of belief, of expression, of assembly, of petition, the dignity of the individual, the sanctity of the home, equal justice under law, and the reservation of powers to the people....[3]

Except for home sanctity and equal justice, I would challenge the reader to find anything in the Bible that resembles Warren's list, let alone anything described as a right. How could the Bill of Rights have been based upon God-given rights when much of what is contained in the first ten Amendments is antithetical to Yahweh's morality? To declare that the Bill of Rights are God-given is another futile attempt to Christianize the Constitution.

The Scriptures provide no evidence of God-given (or unalienable) rights. Even life and liberty are not rights, but rather responsibilities delegated by Yahweh. Of course, rights are much more popular than responsibilities. Everyone, including homosexuals and infant murderers, demand their rights, but few are interested in fulfilling their responsibilities.

The Puritan idea of rights and liberty was quite different from what the framers had in mind:

John Winthrop [first governor of Massachusetts Bay Colony] … reminded his fellow-citizens of Massachusetts that a doctrine of civil rights [as in the Declaration of Independence and the Bill of Rights] which looked to natural or sinful man as its source and guardian [as in the Preamble] was actually destructive of that very liberty which they were seeking to protect. True freedom can never be found in institutions which are under the direction of sinful men, but only in the redemption wrought for man by Jesus Christ. Christ, not man, is the sole source and guarantee of true liberty.[4]

R.J. Rushdoony pointed out the sophistry of governments based upon freedom:

….[A] society which makes freedom its primary goal will lose it, because it has made, not responsibility, but freedom from responsibility, its purpose. When freedom is the basic emphasis, it is not responsible speech which is fostered but irresponsible speech. If freedom of press is absolutized, libel will be defended finally as a privilege of freedom, and if free speech is absolutized, slander finally becomes a right. Religious liberty becomes a triumph of irreligion. Tyranny and anarchy take over. Freedom of speech, press, and religion all give way to controls, totalitarian controls. The goal must be God's law-order, in which alone is true liberty.[5]

True liberty is found only in Yahweh's perfect law of liberty:

But whoso looketh into the perfect law of liberty, and continueth therein, he being not a forgetful hearer, but a doer of the work, this man shall be blessed in his deed.
(James 1:25)[6]

James was not describing some New Covenant law that freed us to do whatever we wish. That kind of freedom is nothing more than baptized humanism, which eventually leads to anarchism, one of the quickest paths to legal slavery. Instead, James described the same perfect law of liberty – Yahweh's commandments, statutes, and judgments – as did King David:

So shall I keep thy law continually for ever and ever. And I will walk at liberty….
(Psalm 119:44-45)

Liberty is not the same as license, from which the English word licentiousness is derived. Licentiousness is the consequence of antinomianism, which was prevalent in Jude's day and even more so today:

For there are certain men crept in unawares, who were before of old ordained to this condemnation, ungodly men, turning the grace of our God into lasciviousness [licentiousness, NASB], and denying the only Lord God, and our Lord Jesus Christ. (Jude 1:4)

Because Yahweh's moral laws are a reflection of His divine nature, to deny His laws is to deny Him.

Forgiveness (liberty from our personal sins) is realized through Jesus'[7] blood-atoning sacrifice and resurrection from the grave.[8] All other liberty is found in the implementation and enforcement of Yahweh's perfect law of liberty – never in the hollow promises of man-made covenants. Yahweh's grace on the personal level and Yahweh's law on the community level are our only means to true freedom. When either of these is abused, freedom is also abused:

> Whenever freedom is made into the absolute, the result is not freedom but anarchism. Freedom must be under law, or it is not freedom.... Only a law-order which holds to the primacy of God's law can bring forth true freedom, freedom for justice, truth, and godly life. Freedom as an absolute is simply an assertion of man's "right" to be his own god; this means a radical denial of God's law-order. "Freedom" thus is another name for the claim by man to divinity and autonomy. It means that man becomes his own absolute.[9]

There is no such thing as *unalienable rights*; there are only *God-required responsibilities*. In many instances, the framers ignored or completely subverted these responsibilities, beginning with their rejection of the First and Second Commandments. The first two Commandments were contravened by the First Amendment's Establishment Clause (an endorsement of polytheism) and breached throughout the remainder of the Constitution, since the First and Second Commandments disallow any law incompatible with Yahweh's. As Rushdoony put it:

> To have none other gods, means to have no other law than God's law....[10]
>
> [Because] His law is the expression of His unchanging nature and righteousness, then to abandon the Biblical law for another law-system is to change gods.[11]

It is regrettable Rushdoony could not see how this applies to the Constitution. Unfounded assertions similar to Archie Jones' are all too common:

> …the Bill of Rights did not constitute an abandonment of the Christian view of God, men, law, and politics upon which the Constitution was framed.... The fact that the framers and ratifiers were neither pietists, nor intellectual schizophrenics, but, rather, traditional Christians, indicates an intention to have the Constitution conform to traditional American thinking about civil government and law and an intention to make the document consistent with the political and legal implications of the Christianity they professed.[12]

How would Jones identify Amendment 1's provision for First and Second Commandment violations, if not as an abandonment of the Christian view of God? His attempt to defend the framers qualifies for intellectual or spiritual schizophrenia. Christian responsibility is not found in conforming our beliefs, lives, and government to "traditional American thinking" or "the political and legal implications of the Christianity [as professed at any given time]...." but rather to Yahweh's will as found in His perfect law. Like the Pharisees of old, the framers and ratifiers should have been less driven by tradition and more authentic in their Christianity.

The Freedom *of* Religion

> Real Christianity is never tolerated when all religions are tolerated for it is too rigid. True Christians cannot have any other God before them, and they will be judged for endorsing a supposed equality of other gods with the true God. Thus Christians who believe in the freedom of all religions believe in their own termination.[13]

The First Amendment's Establishment Clause ("Congress shall make no law respecting an establishment of religion") was a compromise by late 18th-century Christians. In order to keep the government out of their churches (so they believed), they allowed the government to authorize any and all religions. George Mason, the "Father of the Bill of Rights," was one of the principal proponents of the "unalienable right" to religious expression, regardless whether such expression was Christian, non-Christian, or even anti-Christian:

…all men have an equal, natural and unalienable right to the free exercise of religion….[14]

Federalist James Madison’s sentiment was the same:

The civil rights of none shall be abridged on account of religious belief or worship, nor shall any national religion be established.[15]

…the door of this part [the House of Representatives] of the federal government is open to merit of every description, whether native or adoptive, whether young or old, and without regard to poverty or wealth or to any particular profession of religious faith.[16]

George Washington, true to his Masonic tenets, told the Virginia Baptists:

If I could have entertained the slightest apprehension that the Constitution framed in the convention where I had the honor to preside might possibly endanger the religious rights of any ecclesiastical society, certainly I would never have placed my signature to it.[17]

While serving as President of the United States, Washington declared the United States “government protects all in their religious rights.”[18] This does not sound all that different from what President Barack Obama wrote after declaring that America is no longer an exclusively Christian nation:

…when we’re formulating policies from state house to the Senate floor to the White House, we’ve got to work to translate our reasoning into values that are accessible to every one of our citizens, not just members of our own faith community.[19]

Christian Constitutionalists claim the word “religion” in the Establishment Clause was exclusive to Christian denominations. At best, this is wishful thinking, the result of exploiting the historical record. The framers, while perhaps not rejecting Christianity (and in some instances even seeming to prefer it), rejected a Christian state in favor of a polytheistic one. In reference to the Virginia Act for Religious Freedom, enacted one year before the federal Constitutional Convention, Thomas Jefferson wrote:

Where the preamble [of the Virginia Act for Religious Freedom] declares, that coercion is a departure from the plan of the holy author of our religion, an amendment was proposed, by inserting the word [*sic*] “Jesus Christ,” so that it should read, “A departure from the plan of Jesus Christ, the holy author of our religion;” the insertion was rejected by a great majority, in proof that they meant to comprehend, within the mantle of its protection, the Jew and the Gentile, the Christian and the Mahometan, the Hindoo, and the Infidel of every denomination.[20]

Jefferson employed the word “denomination,” not for the various Christian denominations, but for any religion or non-religion. United States Supreme Court Chief Justice Warren E. Burger declared, “our system encourages pluralism, both political and religious.”[21] In *Zorach v. Clausen* (1952), Supreme Court Justice William O. Douglas wrote, “We make room for as wide a variety of beliefs and creeds as the spiritual needs of man deem necessary.”[22] Christians laud such seditious decisions because they are under the spell of the Constitution and their antinomian preachers. Although modern courts sometimes abuse certain aspects of the original intent of the constitutional framers (as documented in David

Barton's *Original Intent*[23]), the statements of Justices Burger and Douglas are in perfect accord with the framers' intent.

> Today's secularism is not simply the product of Chief Justice Earl Warren and his court.... It was implicit from 1788. It was made official in February, 1860, when the House of Representatives invited the first rabbi [Dr. Morris J. Raphall of New York City] to give the invocation....[24]

Constitutionalists and Christians alike often quote Supreme Court Justice David J. Brewer as one of their favorite witnesses to the allegations that the Constitution was a Christian document, which produced a Christian government:

> This republic is classified among the Christian nations of the world. It was so formally declared by the Supreme Court of the United States. In the case of *Holy Trinity Church v. United States*, 143 U.S. 471, that court ... added ... "a volume of unofficial declarations to the mass of organic utterances that this is a Christian nation."[25]

What immediately follows Brewer's often quoted opinion is rarely cited:

> But in what sense can America be called a Christian nation? Not in the sense that Christianity is the established religion.... On the contrary, the Constitution specifically provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Neither is it Christian in the sense that all its citizens are either in fact or name Christians. On the contrary, all religions have free scope within our borders.[26]

How can the United States of America be a Christian nation when "all religions have free scope within our borders," in violation of the First Commandment?

Many Christians were outraged with President Obama's endorsement of a mosque proposed to be built mere blocks from where the Twin Towers stood. On August 13, 2010, Obama celebrated the Muslim holiday Ramadan with a White House dinner, at which he declared that "as a citizen, and as President, I believe that Muslims have the same right to practice their religion as anyone else in this country. That includes the right to build a place of worship and a community center on private property in lower Manhattan...."[27] Christians should not be angry with Obama for telling the truth. Instead, they ought to be angered at the origin of Obama's statements – Amendment 1 of the Constitution.

Barton definitively proves that the original intent of the Establishment Clause has been abused by modern courts. But he completely ignores the much more consequential abuse Amendment 1 dealt to the First and Second Commandments. Had late 18th-century Americans demanded the law of Yahweh instead of the Constitution, the courts' abuse would have never occurred. America's courts would have been Christian, governed exclusively by Yahweh's law. Constitutionalists, like Barton, disprove their claim that they are only interested in the original intent of the framers when they insist on reading God and Christianity into the Constitution, even though the framers explicitly avoided both in the Constitution itself and in the Federalist Papers. Barton argues from a flawed paradigm. His desire to return to the original intent of Amendment 1 is an argument *against* Yahweh and His Word, not for it. If we are truly interested in restoring the Bible and its morality to our courts, schools, and society, we must demand that Yahweh's perfect law replace the Constitution. Otherwise, we must resign ourselves to more of the same immorality we have experienced since the ratification of the Constitution:

> The modern concept [since 1787] of total toleration is not a valid legal principle but an advocacy of anarchism. Shall all religions be tolerated? But, as we have seen, every religion is a concept of law-order. Total toleration means total permissiveness for every kind of practice: idolatry, adultery, cannibalism, human sacrifice, perversion, and all things else. Such total toleration is neither possible nor desirable…. *To tolerate subversion is itself a subversive activity*.[28]

Authorizing Religion

Although the First Amendment does not allow for establishing *one* religion over another, by eliminating Christianity as the federal government's religion of choice (achieved by Article 6's interdiction against Christian test oaths), Amendment 1 authorized equality for all non-Christian and even antichristian religions. When the Constitution failed to recognize Christian monotheism, it allowed Amendment 1 to fill the void by authorizing pagan polytheism.

Amendment 1 did exactly what the framers proclaimed it could not do: it prohibited the exercise of monotheistic Christianity (except within the confines of its church buildings) and established polytheism in its place. This explains the government's double standard regarding Christian and non-Christian religions. For example, court participants entering the United States District Court of Appeals for the Middle District of Alabama must walk by a statue of Themis, the Greek goddess of justice. And yet, on November 18, 2002, this very court ruled that Judge Roy Moore's Ten Commandments Monument violated the First Amendment's Establishment Clause. Despite many Christians' protests against this hypocrisy, it was in keeping with the inevitable repercussions of the First Amendment.

In response to the U.S. Supreme Court's verdict in *Engle v. Vitale*, which barred school-sponsored prayer, Dr. Billy Graham declared, "This is another step towards the secularization of the United States…. The framers of our Constitution meant we were to have freedom of religion, not freedom from religion."[29] Tragically, Graham's latter statement has become a mantra. Christians hang their religious hat on Amendment 1, as if some great moral principle is carved therein. They have gotten so caught up in the battle over the misuse of the Establishment Clause – the freedom *from* religion – that they have overlooked the ungodliness intrinsic in the Free Exercise Clause – the freedom *of* religion. Nothing better depicts this paradoxical tendency than 19th-century Pastor Benjamin F. Morris' claim:

> By an act of the [Virginia] Assembly in 1705, it was declared, that if any person brought up in the Christian religion denies the being of a God or the Trinity, or asserts that there are more Gods than one, or denies the Christian religion to be true, or the Scriptures to be of divine authority, he is punishable, on the first offence by incapacity to hold office or employment, ecclesiastical, civil, or military…. This law, opposed to the spirit of Christianity … was abolished in 1786 by the following – "Act for Establishing Religious Freedom: …all men shall be free to profess and by argument to maintain their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities."[30]

Morris' (and the framers') tolerance of religious freedom was *not* the spirit of Christianity. It was the spirit of pluralistic polytheism and, thus, the spirit of anti-Christianity. Morris' assertion that Virginia's Organic Charter's intolerance toward non-Christians' holding office was "opposed to the spirit of Christianity" is a classic case of calling "evil good, and good evil" (Isaiah 5:20). Had America held to Virginia's charter, the November 5, 2009, Fort Hood massacre (in which thirteen people were killed and thirty others wounded at the hands of Muslim Major Nidal Malik Hasan) would have never occurred. Amendment 1 was the origin of what occurred that fateful day. Had the farmers established a government based upon Yahweh's law, Islam would not be tolerated and its proponents would not be in America's military.

The true spirit of Christian monotheism is perhaps best depicted in the instructions to the delegates of Mecklenburg County on September 1, 1775, during the first session of the Provincial Congress of North Carolina:

You are instructed to assent and consent to the establishment of the Christian religion, as contained in the Scriptures of the Old and New Testament, to be the religion of the state, to the utter exclusion forever of all and every other (falsely so called) religion, whether pagan or papal … and that a confession and profession of the religion so established shall be necessary in qualifying any person for public trust in the state.[31]

It was this Christian monotheism that Article 6 and Amendment 1 terminated. What Amendment 1 is really saying is that the United States government is no respecter of religions or gods. Whereas Amendment 1 welcomes all religions and therefore all gods with open arms, Yahweh's law demands that people who advocate violating His First and Second Commandments are to be put to death:

If there arise among you a prophet, or a dreamer … saying, Let us go after other gods … and let us serve them; thou shalt not hearken unto the words of that prophet, or that dreamer of dreams: for YHWH[32] your God proveth you, to know whether ye love YHWH your God with all your heart and with all your soul. Ye shall walk after YHWH your God, and fear him, and keep his commandments, and obey his voice, and ye shall serve him, and cleave unto him. And that prophet, or that dreamer of dreams, shall be put to death; because he hath spoken to turn you away from YHWH your God … to thrust thee out of the way which YHWH thy God commanded thee to walk in. So shalt thou put the evil away from the midst of thee. If thy brother … thy son, or thy daughter, or the wife … or thy friend … entice thee secretly, saying, Let us go and serve other gods … thou shalt not consent unto him, nor hearken unto him; neither shall thine eye pity him, neither shalt thou spare, neither shalt thou conceal him: but thou shalt surely kill him…. (Deuteronomy 13:1-9)

In view of Yahweh's zeal for Himself as depicted in this and many other passages, what do you suppose He thinks of the framers and their constitutional provision for polytheism? What does He think of anyone today who lauds and supports their actions? If you are inclined to protest that this was meant only for Old Covenant times, consider the following New Covenant directive:

But those mine enemies, which would not that I should reign over them, bring hither, and slay them before me. (Luke 19:27)

The New Covenant is built upon the same moral laws (commandments, statutes, and judgments) as the Old Covenant:

For this is the covenant that I will make with the house of Israel[33] after those days, saith YHWH; I will put my laws into their mind, and write them in their hearts: and I will be to them a God, and they shall be to me a people. (Hebrews 8:10)

After enumerating many of the consequences of choosing or allowing other gods, the Apostle Paul prescribed the death penalty for those who would substitute other gods for Yahweh:

> Professing themselves to be wise, they became fools, and changed the glory of the uncorruptible God into an image made like to corruptible man.... Wherefore God also gave them up to uncleanness through the lusts of their own hearts, to dishonour their own bodies between themselves: Who changed the truth of God into a lie, and worshipped and served the creature more than the Creator, who is blessed for ever. Amen.... And even as they did not like to retain God in their knowledge [as with the godless Constitution], God gave them over to a reprobate mind, to do those things which are not convenient; being filled with all unrighteousness, fornication, wickedness, covetousness, maliciousness; full of envy, murder, debate, deceit, malignity; whisperers, backbiters, haters of God, despiteful, proud, boasters, inventors of evil things, disobedient to parents, without understanding, covenantbreakers, without natural affection, implacable, unmerciful: Who knowing the judgment of God, that they which commit such things are worthy of death, not only do the same, but have pleasure in them that do them. (Romans 1:22-32)

The debauchery described by Paul, which is rife in America today, is not the consequence of the courts' *departure* from the original intent of Amendment 1, as some Constitutionalists would have us believe. It is the consequence of the courts *adherence* to that intent, which provided for worshiping gods other than Yahweh.

Yahweh's civil law does require that everyone be a Christian. His law does not legislate private faith, but it does pass judgment on those who openly worship or propagate faith in other gods. Suppression of non-Christian religions does not mean suppression of the non-Christian individual. Under Yahweh's law, strangers (whether Christians or not) are afforded special protection along with widows and orphans, provided they abide by the same laws (Exodus 12:49; Leviticus 18:26, 24:22; Numbers 15:15-16; Deuteronomy 27:19, 31:12).

Amendment 1 has conditioned contemporary Christians to believe that putting someone to death because they promote another god than Yahweh is abhorrent. Early American colonies, such as New Haven, Connecticut, based their government upon Yahweh's law instead of man's and required this very judgment for idolaters:

> Whosever shall worship any other God than the Lord shall be put to death.[34]

Instead of promoting this righteous judgment prescribed by Yahweh and recognized by America's 17th-century founders, the late 18th-century usurpers obviously considered their "morality" more righteous than Yahweh's. If only the late 18th-century Christians had been as jealous for Yahweh as was Elijah on Mt. Carmel when he slew 850 prophets of Baal. If only today's Christians were as jealous for Yahweh as the Israelites in Joshua 22 who were stirred to action against the tribes of Reuben, Gad, and the half tribe of Manasseh for a mere appearance of impropriety against Yahweh. Instead, thanks to the framers, America has become the most pluralistic, polytheistic, multicultural nation in the entire world. With the help of men like Barton and other Constitutionalists, it will continue as such.

Ancient Rome Revisited

The Constitution's allowance for every religion but Christianity sounds more like ancient Rome than Biblical Christianity. Rome's republican form of government strongly influenced the framers.

> …the Founders relied somewhat on classical (mainly Roman) jurisprudence, even more so than an inherited Puritan ethic, and did not fashion a specifically biblonomic (Bible-based) state....[35]

Although Christians often point out the parallels between ancient Rome and modern America as it pertains to its decline and downfall, they seldom call attention to the initial and most important parallel: the pluralistic and polytheistic foundations of both nations. When this affinity *is*acknowledged, Christian Constitutionalists are often found defending it. For example, Pastor Chuck Baldwin is "absolutely dedicated to preserving religious liberty. Religious tyranny is as evil as political or social tyranny."[36] This is a promotion of polytheism and foolishly identifies Yahweh's religious, political, and social exclusivity as tyrannous and evil.

Bishop T.D. Jakes, in his denunciation of theocracies, also depicted Yahweh's exclusivity as tyranny:

> A country that has one national religion as its only compass is much more of a theocracy than a democracy. That kind of tyranny leads to [all kinds of evil]…. I love democracy….[37]

Rick Scarborough (head of Vision America) claims the following on his website, under the heading "Religious Freedom":

> We believe that freedom of religion is the foundation of America's liberty. We oppose any and every attempt to suppress or to marginalize the free expression of religion in America.[38]

Had Scarborough exchanged the word "religion" for "Christianity," his statement would have been Biblically acceptable. As it is, the freedom of religion produces precisely the opposite result: the foundation of spiritual slavery and the door to moral decadence. Baldwin, Jakes, Scarborough, and anyone else who promotes Amendment 1's freedom of religion rather than Christian exclusivity, propagates pluralism and polytheism and therefore sedition and treason against Yahweh.

So-called Christians' propensity for defending polytheism is not a modern phenomenon. It was prevalent immediately before, during, and soon after the ratification of the Constitution, as evidenced in many early legislative declarations and judicial decisions. Some judges went so far as to *attribute*the freedom of religion, or polytheism, to Christianity:

> What gave to us this noble safeguard of religious toleration? It was Christianity.
>
> *City of Charleston v. S.A. Benjamin* (1846)[39]

Barton appeared to relish and even promote this heresy:

> …Christian principles had produced America's toleration for other religions; and while America did legislate according to Christian standards of conduct for social behavior, it did not tell other religions how, where, when, or even whether to worship. The only restraints placed on those religions were that their religious practices not be licentious or subversive of public morality or safety. Aside from these stipulations, America granted broad religious toleration to other religions not in spite of, but because of its Christian beliefs.[40]

If Congress were legislating and the judiciary were adjudicating according to Christian standards, they would have never tolerated other religions. Barton continued:

> The court [*Lindenmuller v. the People*, 1860] further explained that maintaining an official respect for Christianity did not infringe upon the free exercise of religion for others; instead, it provided an umbrella of protection: "Religious tolerance is entirely consistent with a

recognized religion. Christianity may be conceded to be [the] established religion to the qualified extent mentioned, while perfect civil and political equality with freedom of conscience and religious preference is secured to individuals of every other creed and profession….”[41]

If Barton is correct, he is obliged to produce Scripture that validates his claims. William J. Federer posited three reasons why he believes “Non-Christian Religions are Tolerated in America”:

Given that America’s population was predominately Christian at the time of the nation’s founding gives rise to the question: What would motivate a predominantly Christian populace to promote tolerance of non-Christians? Three reasons can be identified: sharing the Gospel, Christian teaching on tolerance, and Jesus’ example.[42]

None of these reasons stand the Biblical test. In sharing the gospel, we require people to repent of their non-Christian religions; we do *not* tolerate them. Nowhere does the Bible tolerate any religion that does not teach exclusive fealty to Yahweh. As we have already seen in Luke 19:27, Jesus declared that anyone who defiantly refused Him to reign over them should be slain, in perfect accord with the judgment for First Commandment violation. If we are to tolerate people who subscribe to other gods so we can share the gospel with their proponents then we are equally obliged to tolerate thieves, adulterers, sodomites, pedophiles, and infant murderers for the same reason.

Stephen McDowell demonstrates how far a person can stray from Yahweh’s law in trying to defend the Constitution as a Christian document:

To define a Christian nation, we must first state what it is not. A *Christian nation* is not one where Christianity is the established religion…. At Independence, 8 of the 13 colonies had a specific denomination as the established religion, and 4 others had general Protestant Christianity receiving preference. The national government under the United States Constitution had no such establishment. State establishments were gradually ended due to the advancement of Christian ideas of religious liberty….[43]

Ironically, McDowell later provided the correct answer to his own query regarding what it takes to be a Christian nation, which, in turn, proves that America ceased being a Christian nation when the Constitution was ratified:

A Christian nation is a nation that is founded upon Biblical principles, where Biblical truth and law [including the First Commandment and its judgment] are the standard for public life, law, and societal institutions.[44]

Where did Barton, Federer, and McDowell come up with the sophistic and heretical idea of attributing polytheism to Christianity? Not from the Bible, but from Amendment 1 of the Constitution.

Barton argues that “the records … clearly document that the Founders’ purpose for the First Amendment is not compatible with the interpretation given it by contemporary courts. The Founders intended only to prevent the establishment of a single national denomination….” But Barton also argues for pluralistic polytheism when he continues that they had no intention to “restrain public religious expressions.”[45] He elaborated:

Numerous religions *did* exist in America at the time of the Founders; and the Founders understood the potential value of *any* major religion to a society; but they specifically preferred Christianity.... Yet, even though the Founders openly acknowledged their veneration for [the antichristian religion of] Judaism,[46] nonetheless believed that the teachings of Christ provided the greatest benefit for civil society.... Does this mean that the Founders opposed pluralism? No – as long as the beliefs of other religions did not manifest in violent or deviant behavior which might threaten the stability of civil society. In fact, the Founders believed that pluralism survived only within the concept of religious liberty espoused by American Christianity. Indeed, both modern and ancient history demonstrate that most, if not all other religious nations (whether Muslim, Jewish, Buddhist, monarchial Christian, etc.) rarely allow pluralism. However, independent America was different; it allowed the "free exercise" of other religions. In fact, early courts openly acknowledged that America was pluralistic and tolerant of other religions *only*because it was a Christian nation.[47]

I think the Apostle Paul would take exception to Barton, who appears to believe the First Commandment is no longer valid under the New Covenant. Amendment 1 is a return to Mars Hill, where Paul found the polytheistic "city [of Athens] wholly given to idolatry." Paul's Christianity did not require tolerance of the idolaters. Instead, he demanded they repent or face Yahweh's judgment (Acts 17:16-31).

The Republic, which was provided by the Constitution, is essentially ancient Rome revisited. Just like Rome, America is ruled by humanism or statism, in which WE THE PEOPLE is the mother of a pantheon of gods:

Two centuries before the birth of Christ, the Dea Roma cult in Smyrna had elevated the people of Rome and the city to divine status. The Roman Empire later elevated the "genius of the Emperor" to the status of divinity. In the Emperor was the personification of the divine State.[48]

The conflict of Christianity with Rome was thus political from the Roman perspective, although religious from the Christian perspective. The Christians were never asked to worship Rome's pagan gods; they were merely asked to recognize the religious primacy of the state.... The issue, then, was this: should the emperor's law, state law, govern both the state and the church, or were both state and church, emperor and bishop alike, under God's law? Who represented true and ultimate order, God or Rome, eternity or time? The Roman answer was Rome and time, and hence Christianity constituted a treasonable faith and a menace to political order.[49]

Like Rome, post-1791 America is tolerant of all religions that remain subservient to the mother god WE THE PEOPLE. Unlike post-1791 America, 1st-century Christendom stood opposed to Rome and her polytheistic predisposition:

…they drew Jason and certain brethren unto the rulers of the city, crying, These that have turned the world upside down are come hither also ... and these all do contrary to the decrees of Caesar, saying that there is another king, one Jesus. (Acts 17:6-7)

Genuine Christians stand opposed to the Constitution for the same reason.

Additional Consequences

Political pluralism has consequences. It leads directly to polytheism: many moral law-orders; therefore, many gods. Polytheism (all gods are equal) leads to relativism (all moral codes are equal); relativism leads to humanism (man makes his own laws); and humanism leads to statism (the State best represents mankind as the pinnacle of power).[50]

Government sanction of non-Christian religions eventually led to citizenship for those who worshipped gods other than Yahweh, and citizenship led to a right to vote, which eventually led to antichrists and non-Christians ruling over Christians in contradiction to Deuteronomy 17:15, 2 Corinthians 6:14-18, etc. (See Chapter 23 "Amendment 14: First-Birth vs. Second-Birth Citizenship" and Chapter 24 "Colorblind Voting" for additional information regarding leadership consequences resulting from Amendment 1's provision for polytheism.) In a letter to Joseph Simpson, a prominent Baltimore Jew, President John Tyler made it clear that this is precisely what Amendment 1 provided:

No religious establishment by law exists among us. The conscience is left free from all restraint and each is permitted to worship his Maker after his own judgment. The offices of government are open alike to all.... The Mohammedan, if he will to come among us would have the privilege guaranteed to him by the constitution to worship according to the Koran; and the East Indian might erect a shrine to Brahma if so pleased him.[51]

Anti-Christian Jews have been in Congress since 1845 when Lewis Charles Levin became the first Jewish member of Congress. In 1851, John Milton Bernhisel – the first representative of the Utah Territory – became the first Mormon in Congress. In 1956, Dalip Singh Saund became the first Sikh elected to the House. In 1972, Pete Stark became the first publicly atheistic congressman. In 2006, Mazie K. Hirono became the first elected Buddhist. And in 2006, Keith Ellison became the first Muslim elected to the United States Congress.

Without a common faith, and, therefore, a common law, it is impossible for people of diverse religions (particularly those of Christian and non-Christian religions) to walk in agreement. Yahweh explicitly forbids His people from even attempting to do so:

Take heed to thyself, lest thou make a covenant with the inhabitants of the land whither thou goest, lest it be for a snare in the midst of thee: But ye shall destroy their altars, break their images, and cut down their groves: For thou shalt worship no other god: for YHWH, whose name is Jealous, is a jealous God. (Exodus 34:12-14)

The First Amendment is a covenant of the type expressly forbidden by Yahweh. His jealousy has not changed from the Old Covenant to the New Covenant:

Whosoever transgresseth, and abideth not in the doctrine of Christ, hath not God. He that abideth in the doctrine of Christ, he hath both the Father and the son. If there come any unto you, and bring not this doctrine, receive him not into your house [including the White House, the House of Representatives, and the Senate] neither bid him God speed: For he that biddeth him God speed is partaker of his evil deeds. (2 John 1:9-11)

Anyone claiming the Constitution is harmonious with Yahweh and His Word should consider the Prophet Jehu's question:

Shouldest thou help the ungodly, and love them that hate YHWH? Therefore is wrath upon thee from before YHWH. (2 Chronicles 19:2)

Constitutionalists have made themselves accomplices in the evil deeds of antichrists. To laud Amendment 1 and, therefore, the Constitution, is tantamount to promoting non-Christian and even antichristian supremacy over Christians.

Separation of Church *From* State

Constitutional attorney Leo Pfeffer provided an interesting perspective on the Free Exercise Clause:

> "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof." But these words added nothing in substance to the Constitution as written four years earlier, nor were they intended to. Instead, they made explicit what was implicit in the original document, namely, that Caesar was to have no traffic with God or, as Madison phrased it, that there should be "a separation between religion and government"....[52]

This is an obvious departure from nearly every form of American government that preceded the Constitution and is an unequivocal exodus from Biblical protocol:

> The doctrine of separation of church and state is a modern development. In primitive society, the patriarch was both priest and temporal ruler. And "in most ancient communities, the priest was also king and judge." Theocracy ... was a government of priests.... In the American colonies, church and state were closely related, but the founders of the federal and most of the state governments were careful "to distinguish exactly the business of civil government from that of religion, and to settle the just bounds that lie between the one and the other."
>
> Formerly it was not considered improper that the three basic functions of government – those of making the law, enforcing the law, and interpreting the law in the settlement of controversies – should be exercised by one supreme authority.... Thus it will be seen that Moses not only made or promulgated the law, but also that he was leader or king, and that he sat as judge.[53]

Americans, non-Christians and Christians alike, have been well trained to believe this is inappropriate. In *Engel v. Vitale* (1962), the landmark case regarding prayer in public schools, Supreme Court Justice Hugo L. Black argued on behalf of separation of church from state:

> [Its] most immediate purpose rested on the belief that a union of government and religion tends to destroy government and degrade religion.[54]

Any religion *other* than Yahweh's degrades government because only Yahweh's perfect law provides for a perfect government. The strict separation of church and state did not exist prior to the age of enlightenment. It is, however, a mainstay of Freemasonry:

> …separation of church and state ... is a Masonic goal that dates back to the Framers of the Constitution and Bill of Rights.... Freemasons have defended this concept throughout American history....[55]

The Two-Kingdom Fallacy

Joseph Priestley, the founder of Unitarianism and a close friend and correspondent with Jefferson and Franklin, explained separation of church from state:

The state, according to Priestley, has no authority to legislate tests of religious correctness. It deals only with "things that relate to this life," while the church deals only with "those that relate to the life to come."[56]

This was very similar to Jefferson's sentiments regarding political sermons:

> On one question only I differ from him [Pastor McLeod], and it is … the right of discussing public affairs *in the pulpit*. …I suppose there is not an instance of a single congregation which has employed their preacher for the mixed purposes of lecturing them from the pulpit in Chemistry, in medicine, in Law, in the science and principles of Government, or in anything but Religion exclusively. Whenever, therefore, preachers, instead of a lesson in religion, put them off with a discourse on the Copernican system, on chemical affinities, on the construction of government, or the characters or conduct of those administering it, it is a breach of contract, depriving their audience of the kind of service for which they are salaried, and giving them, instead of it, what they did not want….[57]

It is probable Jefferson would have been in favor of today's 501(c)(3) tax exempt status that allegedly restricts pastors by prohibiting them from speaking on political issues. What he said is not that far removed from the regrettable theology of some of the great religious reformers who, undoubtedly, influenced many of the framers of the United States Constitutional Republic:

> …God has ordained the two governments, the spiritual which fashions true Christians and just persons through the Holy Spirit under Christ, and the secular government which holds the Unchristian and wicked in check and forces them to keep the peace outwardly…. Therefore care must be taken to keep these two governments distinct….
>
> Martin Luther[58]

> We have established that there are two governments to which mankind is subject. …the spiritual kingdom of Christ and civil government are things far removed from one another. … [Secular] government and the spiritual and internal kingdom of Christ are quite distinct.
>
> John Calvin[59]

This is precisely how today's non-Christians want it. Those who hold earthly authority control life and everything related to it. Ultimately, the secularists could not keep their hands off even the church itself, as evidenced by, among other things, their tax exempt 501(c)(3) licensing of most churches. Despite what the courts would have us believe, secularism is not religiously neutral. Secularists may *proclaim* separation of church from state, but they *promote* the integration and supremacy of the state *over* the church. The two-kingdom fallacy was the position of even Christian apologist Francis Schaeffer:

> In the Old Testament there was a theocracy commanded by God. In the New Testament … the church was its own entity. There is no New Testament basis for a linking of church and state until Christ the King returns.[60]

Schaeffer's position inevitably leads to the do-nothingism (what Gary North identified as "passive waiting" versus "active service"[61]) prevalent in contemporary Christianity. *Everything* in this life is a moral issue, if only because Yahweh remains involved in every aspect of this life. Everything is under His sovereign oversight and control. There is, therefore, no such thing as separation of church from state as it is usually thought of:

> If the past proves anything, it proves that religious affiliation can affect voter's attitudes on a broad range of issues that seemingly have nothing to do with religion.... Politics in a secular state means that there is no Christian position on whether tax cuts are a good or a bad idea, on whether the terms of congressmen ought to be limited, and whether the capital gains tax ought to be lowered.[62]

Most Christians (particularly antinomians) would agree. However, tax cuts, term limits, and capital gain taxes are all moral issues addressed by Yahweh's law. (See Chapter 4 "Article 1: Legislative Usurpation" and Chapter 5 "Article 2: Executive Usurpation" for additional information regarding what Yahweh's law says about taxation and term limits.) This fatalistic theology is also taught by Edward Gaffney, Jr., professor of constitutional law at the Catholic Valparaiso University School of Law and editor of *The Journal of Law and Religion*:

> First, I assume that the Bible is not a detailed historical blueprint for American society, and that it does not contain much concrete guidance for the resolution of specific political conflicts or constitutional difficulties such as slavery and racism, sexism and equal opportunity to participate in society. The biblical traditions are not to be viewed as an arsenal of prooftexts for contemporary disputes.[63]

If the Bible and Yahweh's law does not hold the blueprint for modern society, *what does*? North's conclusion is inescapable:

> If Christians as citizens are not required by God to bring their Bible-based views to bear on politics, and to pass legislation that conforms to God's revealed case laws, then anti-Christians inherit all civil governments by default.[64]

Regrettably, even many dominion-minded Christians have been hoodwinked not only into believing Amendment 1's Establishment Clause is somehow Christian, but also into attempting to adopt it into their Christian worldview. A more correct view to understanding the Christian role in Christian civil government was articulated by British statesman Edmund Burke (1729-1797):

> …in a Christian commonwealth the church and state are one and the same thing, being different integral parts of the same whole.[65]

European Christianity abused this concept, but when one understands the full meaning of the Greek word *ekklesia* (a called-out body politic), the veracity of Burke's explanation becomes apparent. The *ekklesia* is composed of both the Christian church and the Christian state. This is also demonstrated in that the priests and Levites often served as judges[66] and Moses and Samuel held positions of priest, judge, and prophet simultaneously. Although kings were not allowed to function as priests, priests could be judges:

> The presence of the priests and Levites did not mean a confusion of church and state: it meant the total permeation of church and state, as well as every other institution, by the authority of God's word.[67]

It is unfortunate that many dominion-oriented Christians teach the non-Biblical two-kingdom concept:

> God has established two kingdoms on this earth, the church and the state. He has given certain authority to each, and he has also placed certain limitations upon each.[68]

> …the First Amendment is an excellent expression of the "two Kingdoms" concept and an excellent means of preserving the religious liberty God has given us.[69]

The First Amendment's "excellent expression" of the two-kingdom concept only further proves it is *not* Biblical. As a consequence of this Biblically errant doctrine and in defense of the Constitution, Christian attorney Herb Titus believes the Bible should not be applied to civil government:

> While it would be appropriate to apply the Bible as a church covenant, it would not be so in the formation of a civil government.[70]

At the same time, Titus inadvertently condemned the Constitution as tyrannous:

> The very nature of legislative power presupposes that it is vesting only that power that conforms to God's law. If Congress enacts a bill into law that is in violation of God's law, it is not, by definition, exercising legislative power, but has become a tyranny.[71]

The two-kingdom concept is an impossibility. One realm inevitably rules over the other:

> It may appear strange that the church, which after all is an institution of God, should itself be an arena of conflict between Him and Caesar. …[B]oth claim sovereignty and do not take kindly to rivals, particularly when both claim jurisdiction over the same domain.[72]

Either non-Christians will be ruled by Christians, or Christians will be ruled by non-Christians. Thanks to the Constitution, most American Christians have adopted the two-kingdom concept and relegated civil authority to the non-Christians. Consequently, the non-Christians' judiciary determines conflicts between the two. No wonder the tide has turned against Christianity under constitutional government.

The Bible teaches only one kingdom – one in which Yahweh expects His laws to be exclusive and therefore Christians to rule. A government based upon Yahweh's law promotes exclusive worship of Yahweh and punishes overt acts of idolatry or polytheism. These two pillars identify a government as Biblical and Christian. The Constitutional Republic is disqualified on both counts.

The Freedom of Speech and of the Press

Amendment 1 goes on to condemn the prohibition of speech, whether spoken or written. Does the Bible provide for free speech or does it limit speech? If you believe in unqualified freedom of speech and freedom of the press, you have probably never had your name sullied by individuals with whom you have little recourse under today's juridical system. Neither have you been libeled by the press, whose editors often care more about titillating headlines than they do a person's reputation. Although freedom of speech and the press was not intended to allow these violations, the Constitution's lack of parameters allows the freedoms enumerated in Amendment 1 to be interpreted by the prevailing morality or immorality of the American courts at any given time.

In developing a truly free press, newspapers found they had a powerful ally in the supreme court, which turned a single phrase, “or of the press,” (contained in the First Amendment to the U.S. Constitution) into a potent shield for press freedom.[73]

The average citizen today has virtually no recourse against the media’s calumny. Ironically, “You shall know the truth, and the truth shall make you free” (John 8:32) is inscribed across the masthead of many American newspapers. Freedom of speech and of the press has also been used to provide protection for those who promote false religions, infanticide, sodomy, pornography, drug abuse, violence, obscenities, and other abuses condemned by Yahweh. What about freedom of speech and freedom of the press as it concerns Yahweh Himself? Does He allow us freedom to curse Him or profane or blaspheme His name?

And thou shalt speak unto the children of Israel, saying, Whosoever curseth his God shall bear his sin. And he that blasphemeth the name of YHWH, he … as well the stranger, as he that is born in the land, when he blasphemeth the name of YHWH, shall be put to death. (Leviticus 24:15-16)

Exodus 23:13 admonishes us to not even mention of the name of other gods, neither let them be heard out of our mouths. The Bible condemns any favorable or casual promotion of other gods, while Amendment 1 protects the “right” of those who do so. The Bible is full of admonitions limiting speech, including what cannot be said about a ruler and, by extension, the government he represents. Only leaders who rule in the fear of Yahweh qualify:

You shall not curse God, nor curse a ruler of your people. (Exodus 22:28, NASB)

To curse, defame, or attack a God-ordained authority is, by extension, to attack Yahweh Himself.

Some early United States courts are to be commended for adjudicating against blasphemers and other abusers of freedom of speech, even though nothing in the Constitution requires such decisions. These decisions are not evidence that the Constitution is Biblical but are instead a residual effect of 17th-century Puritanism’s adherence to the Bible. Over time, as the government has become more constitutional, it and the people serving in it have inevitably adhered less and less to Yahweh’s commandments, statutes, and judgments. Today such rulings are unheard of.

The Right to Peaceably Assemble

The provision in Amendment 1 for United States citizens to assemble peaceably appears innocuous. But is it harmless to give sodomites, infanticide advocates, and Satanists the right to assemble peaceably? If you are a proponent of the Constitution and a defender of Amendment 1, you must also defend the rights of such criminals and anti-Christians to assemble and promote their wicked agendas.

Homosexuals and infant assassins claim freedom of speech and the right to assemble to combat Christians who speak out or assemble against these heinous people and their blatant immorality. By labeling what Christians do as hate crimes, these immoral people are able to employ Amendment 1 *against* the rights of Christians to freely speak and assemble. According to the Bill of Rights, it is the *religious* right of these sodomites, baby killers, and Satanists to use Amendment 1 against Christians. Because Amendment 1 provides for the freedom of “all” religious and non-religious expression (including humanism, which was declared a religion in 1961, in *Torcaso v. Watkins*[74]), exclusive religions such as Christianity are not afforded the same protection. Only non-Christian religions, particularly those that are inclusive or tolerant, are afforded full freedom of speech and public assembly.

Conclusion

What gold is to money, the law of God is to liberty.[75]

Without Yahweh's perfect law of liberty, the personal responsibilities that must accompany it, and Yahweh's judgments executed upon violators, Amendment 1's guarantee of liberties is anything but guaranteed. Genuine freedom has been progressively eroded since the inclusion of the Bill of Rights.

Four Generation Impact

> Thou shalt have no other gods before me. Thou shalt not make unto thee any graven image, or any likeness of any thing that is in heaven above, or that is in the earth beneath, or that is in the water under the earth: Thou shalt not bow down thyself to them, nor serve them: for I YHWH thy God am a jealous God, visiting the iniquity of the fathers upon the children unto the third and fourth generation of them that hate me; and shewing mercy unto thousands of them that love me, and keep my commandments. (Exodus 20:3-6)

In 2011, nearly seven and a half generations (using thirty years for a generation) have passed since the ratification of the Constitution. As each generation passes, we witness more and more of Deuteronomy 28's curses and judgments upon this nation. Isn't it time we break this cycle on behalf of our posterity? This will only occur if we return to Yahweh and His law, as described in Psalm 78. Note the four generations:

> Give ear, O my people, to my law: incline your ears to the words of my mouth.... Which we have heard and known, and our fathers have told us. We will not hide them from their children, shewing to the generation to come.... For he established a testimony in Jacob, and appointed a law in Israel, which he commanded our fathers [generation #1], that they should make them known to their children [generation #2]: That the generation to come might know them, even the children which should be born [generation #3]; who should arise and declare them to their children [generation #4]: That they might set their hope in God, and not forget the works of God, but keep his commandments: And might not be as their fathers, a stubborn and rebellious generation; a generation that set not their heart aright, and whose spirit was not stedfast with God. (Psalm 78:1-8)

Had the framers heeded this admonition, America would not be where she finds herself today. When Christians finally accept their dominion mandate, they will realize that the separation of church from state, as usually understood today, is completely foreign to the Bible, if for no other reason than Yahweh intends His government to function under Biblically qualified Christian men. (See Chapter 5"Article 2: Executive Usurpation" for the Biblical qualification of such leaders.) We are at the same crossroads as were the Israelites of old on Mt. Carmel, when Elijah charged them to "choose ye this day whom you will serve." This time, the choice is not between Yahweh and Baal, but between Yahweh and WE THE PEOPLE. Because you cannot serve two masters, you will hold to one and despise the other, as proven by Barton, Baldwin, Scarborough, Jakes, and other Constitutionalists who promote constitutional polytheism. You cannot serve both Yahweh and the Constitution: they are incompatible.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*

- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

2. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

3. Earl Warren, quoted in Jim Nelson Black, *When Nations Die*: *Ten Warning Signs of a Culture in Crisis* (Wheaton, IL: Tyndale House Publishers, 1994) p. 253.

4. C. Gregg Singer, *A Theological Interpretation of American History* (Phillipsburg, NJ: Presbyterian and Reformed Publishing Co., 1964) p. 19.

5. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) p. 581.

6. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

7. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

8. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

9. Rushdoony, p. 583.

10. Rushdoony, p. 47.

11. Ibid., p. 20.

12. Archie P. Jones, *The Influence of Historic Christianity on Early America*, Archie P. Jones (Vallecito, CA: 1998) pp. 65-66.

13. Dr. H. Rondel Rumburg, Foreword (21 February 1998) to Dr. Robert L. Dabney, *Anti-Biblical Theories of Rights*, which first appeared in the *Presbyterian Quarterly*, July 1888, (Hueytown, AL: Society for Biblical and Southern Studies, 1998) p. 6.

14. George Mason, quoted in Kate Mason Rowland, *The Life of George Mason* (New York, NY: G. P. Putnam's sons, 1892) vol. 1, p. 244.

15. James Madison, 8 June 1789, *The Debates and Proceedings in the Congress of the United States*, 2 vols. (Washington, DC: Gales and Seaton, 1834) vol. 1, p. 541.

16. James Madison, *The Federalist* #52 (New York, NY : The Colonial Press, 1788) p. 209.

17. George Washington, Jared Sparks, ed., *The Writings of George Washington*, 10 May 1789, 37 vols. (Boston, MA: Ferdinand Andrews, 1838) vol. 30, p. 321.

18. Ibid., "Letter to the Synod of the Reformed Dutch Church of North America," October 1789, vol. 12, p. 167.

19. Barack Obama, quoted in Aaron Klein, "Obama: America 'no longer Christian': Democrat says nation also for Muslims, nonbelievers," *WorldNetDaily*, 24 June 2008, http://www.worldnetdaily.com/index/php?pageId=67735.

20. Thomas Jefferson, Albert Ellery Bergh, ed., *The Writings of Thomas Jefferson*, 19 vols. (Washington, DC: The Thomas Jefferson Memorial Association, 1907) vol. 1, p. 67.

21. Warren E. Burger, Foreword, Arlin M. Adams, Charles J. Emmerich, *A Nation Dedicated to Religious Liberty*: *The Constitutional Heritage of the Religion Clauses* (Philadelphia, PA: University of Pennsylvania Press, 1990) p. xiv.

22. William O. Douglas, *Zorach v. Clausen*, 343 U.S. 306 (1952).

23. David Barton, *Original Intent*: *The Courts*, *the Constitution*, *& Religion* (Aledo, TX: WallBuilder Press, 4th Edition, 1st Printing, February 2005).

24. Gary North, *Conspiracy in Philadelphia*: *The Broken Covenant of the U.S. Constitution* (Draper, VA: Nicene Council.com, 2004) p. 361.

25. David J. Brewer, *The United States*: *A Christian Nation* (Philadelphia, PA: The John C. Winston Co., 1905) p. 11.

26. Ibid., p. 12.

27. Barack Obama, quoted in Abby Phillip, "Obama defends Ground Zero Mosque," 14 August 2010, Politico, http://www.politico.com/news/stories/0810/41060.html.

28. Rushdoony, p. 89.

29. Dr. Billy Graham, quoted in Leo Pfeffer, *God*, *Caesar*, *and The Constitution*: *The Court as Referee of Church-State Confrontation* (Boston, MA: Beacon Press, 1975) p. 40.

30. Benjamin F. Morris, *The Christian Life and Character of the Civil Institutions of the United States* (Powder Springs, GA: American Vision, Inc., 2009, originally published 1864) pp. 274-75.

31. Ibid., p. 127.

32. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

33. *God's Covenant People*: *Yesterday*, *Today and Forever* provides a documented dissertation contrasting today's Jews with today's genetic Israelites, the Anglo-Saxon, Germanic, Scandinavian, Celtic, and kindred peoples. *God's Covenant People: Yesterday, Today and Forever* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

34. New Haven's Fundamental Agreement

35. Andrew Sandlin, quoted in Archie P. Jones, *The Influence of Historic Christianity on Early America* (Vallecito, CA: 1998) p. 1.

36. Chuck Baldwin, "Thank You, Dr. Ron Paul," 23 September 2008, Chuck-Wagon Email Commentary, http://www.chuckbaldwinlive.com/c2008/cbarchive_20080923_2.html.

37. T. D. Jakes, "Is God Going Out of Style?," *Bishop's Blog*, http://www.tdjenterpreses.com/blog/?p=85.

38. Rick Scarborough, "We Believe in Religious Freedom," http://www.visionamerica.us/about-us/who-we-are/.

39. *City of Charleston v. S.A. Benjamin*, 2 Strob. 521-524 (1846). South Carolina Supreme Court.

40. Barton, p. 70.

41. Ibid., p. 71.

42. William J. Federer, "Why Non-Christian Religions are Tolerated in America," *Biblical Worldview*(Powder Springs, GA: American Vision, August 2005) vol. 21, num. 8, p. 7.

43. Stephen McDowell, *America*, *a Christian Nation*? *Examining the Evidence of the Christian Foundation of America* (Charlottesville, VA: Providence Foundation, 2004/2009) pp. 1-2.

44. Ibid., pp. 3-4.

45. Barton, p. 24.

46. For documentation regarding the antichrist nature of the Babylonian Talmud, Judaism's book of faith and law, *God's Covenant People: Yesterday, Today and Forever* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

47. Barton, pp. 32-33.

48. Gary North, *Political Polytheism*: *The Myth of Pluralism* (Tyler, TX: The Institute for Christian Economics, 1989) p. 77.

49. Rousas John Rushdoony, *The One and the Many*: *Studies in the Philosophy of Order and Ultimacy*, p. 94, quoted in Gary North, *Political Polytheism*: *The Myth of Pluralism* (Tyler, TX: The Institute for Christian Economics, 1989) p. 77.

50. North, p. 158.

51. John Tyler, "Correspondence of President Tyler, Religious Freedom, to Joseph Simpson, Washington, July 10, 1843," *William and Mary College Quarterly Historical Magazine* (Richmond, VA: Whittet and Shepperson, General Printers) vol. xiii, July 1904, no. 1, p. 2.

52. Leo Pfeffer, *God*, *Caesar*, *and The Constitution*: *The Court as Referee of Church-State Confrontation* (Boston, MA: Beacon Press, 1975) pp. 28-29.

53. H. B. Clark, *Clark's Biblical Law* (Portland, OR: Binfords & Mort, 1943) pp. 57-58.

54. *Engel v. Vitale*, 370 U.S. 421 (1962).

55. Henry C. Clausen, *Masons Who Helped Shape Our Nation* (San Diego, CA: Neyenesch Printers, 1976) pp. 67-71.

56. Isaac Kramnick and R. Laurence Moore, *The Godless Constitution*: *The Case Against Religious Correctness* (New York, NY: W. W. Norton & Company, 1966) p. 81.

57. Thomas Jefferson, H. A. Washington, ed., *The Writings of Thomas Jefferson*, 19 vols. (New York, NY: Riker, Thorne, and Co., 1855) vol. 6, pp. 445-47.

58. Martin Luther, *On Secular Authority*: *how far does the Obedience owed to it extend*?, Harro Hopfl, trans., *Luther and Calvin on Secular Authority* (Cambridge, UK: Cambridge University Press, 1991, 1993) pp. 10-12.

59. John Calvin, *Calvin On Civil Government*, Book IV, Chapter 20, Harro Hopfl, trans., *Luther and Calvin on Secular Authority* (Cambridge, UK: Cambridge University Press, 1991, 1993) pp. 47-49.

60. Francis Schaeffer, *A Christian Manifesto* (Westchester, IL: Crossway, 1981) p. 121.

61. North, p. 611.

62. Kramnick, Moore, pp. 127-28.

63. Edward McGlynn Gaffney, Jr., "Of Covenants Ancient and New: The Influence of Secular Law on Biblical Religion," *Journal of Law and Religion* (St. Paul, MN: Hamline University School of Law, 1984) vol. 2, pp. 117-18.

64. North, p. 181.

65. Edmund Burke, *The Works of the Right Honorable Edmund Burke*, 12 vols. (London, UK: John C. Nimmo, 1887) vol. 7, p. 43.

66. Deuteronomy 17:9-12, 21:5; 1 Chronicles 23:4, 26:20, 29; 2 Chronicles 19:5-8; Ezekiel 44:24.

67. Rousas John Rushdoony, *The Institutes of Biblical Law*, pp. 617-18.

68. John Eidsmoe, *God & Caesar*: *Christian Faith & Political Action* (Westchester, IL: Crossway Books, 1984) p. 9.

69. Ibid., p. 24.

70. Herb Titus, Interview by Dennis Woods, http://www.america-betrayed-1787.com/herb-titus-responds-to-constitutional-challenges.html.

71. Ibid.

72. Pfeffer, p. 40.

73. International Information Programs, USINFO.STATE.GOV, "Freedom of the Press," *Rights of the People*: *Individual Freedom and the Bill of Rights*, http://usinfo.org/enus/government/overview/press.html.

74. *Torcaso v. Watkins*, 367 U.S. 488, 495 n. 11 (1961).

75. Frederick Nymeyer, *Progressive Calvinism* (South Holland, IL: Libertarian Press, 1957) vol. 3, p. 209.

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 12
Amendment 2: Constitutional vs. Biblical Self-Defense

A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed.

Authority

Few Americans are more strident about their constitutional rights, particularly the Second Amendment guarantee to keep and bear arms, than are hunters and gun enthusiasts. Some of the most powerful Washington special-interest groups are organizations (such as the National Rifle Association and Gun Owners of America) formed to protect these rights. As a gun owner and hunter, I am very concerned about my "right" to keep and bear arms. However, as the Christian head of my home, I am much more concerned about my God-required *responsibility* to keep and bear arms for the protection of my family, home, and possessions. I am *not* a Second Amendment advocate. Americans who tout the Second Amendment as their authority to keep and bear arms may ultimately do more harm than good to their so-called right.

Because this is a "right" codified by the United States Constitutional Republic and thereby brought under its jurisdiction, the Constitutional Republic can divest its citizens of this right – something it has been doing incrementally for some time. On June 26, 2008, in *District of Columbia v. Heller*, 554 U.S., the Supreme Court decided, five to four, that the Second Amendment protects an individual's right to own and bear firearms. Although gun owners hailed *Heller* a victory, this battle (which is far from over) concerning the *constitutional right* to bear arms has diverted our attention from the larger and more consequential battle. Disconcerting as many Americans may find the erosion of the Second Amendment guarantee, what is even more disturbing is that five people have the power to decide whether United States citizens have the right to protect themselves and their families, to what degree, and with what weapons. The Supreme Court has ruled that Americans have the right to bear arms, *but only until they say otherwise*. Many Americans who celebrated *Heller* overlooked the fact that it can – and likely will – be overturned by a future court, just as its decision overturned *United States v. Miller*, 307 U.S. 174, rendered in 1939. If you look to the Second Amendment for your authority to bear arms, that authority is contingent upon the fickle nature of nine fallible human beings.

The constitutional right to bear arms is in jeopardy since the Second Amendment could be overturned at any time by future amendment. This was attempted as recently as March 11, 1992, by Democratic Congressman Major Owens of New York, who proposed "…an amendment to the Constitution of the United States repealing the Second Amendment to the Constitution."[1] The well-regulated militia, provided for by the Second Amendment, was, for all practical purposes, terminated long ago.[2]

Some Constitutionalists admit that the Second Amendment did not grant a new right but rather acknowledged an existing right. Although this assertion contains some truth, it does not alter jurisdictional overtones, especially because the constitutional framers did not provide any Biblical basis for this Amendment. Others maintain that the Second Amendment protects our God-given right to self-protection. If this is so, the framers must have believed Yahweh[3] was impotent to protect what He gave to us, and that our God-given responsibilities require the Constitution's sanction and guarantee.

Robertson v. Baldwin, 165 U.S. 275 (1897), affirms that "the 'Bill of Rights,' were [sic] not intended to lay down any novel principle of government, but simply to embody certain guaranties and immunities which we had inherited from our English ancestors" – rather than from Yahweh. Whereas Yahweh's law does not prohibit a man from carrying a concealed weapon (a precaution that is sometimes warranted), *Robertson v. Baldwin* goes on to declare, "the right of the people to keep and bear arms (Art. [Amendment] II) is not infringed by laws prohibiting the carrying of concealed weapons…." The framers could have acknowledged the Scriptures as the foundation for this right, which would have alleviated any possibility of edicts prohibiting concealed weapons, but they did not. Instead, they allowed any given Congress to implement firearms restrictions as it sees fit.

Because the *responsibility* to keep and bear arms *is* God-given, no one except Yahweh can withdraw or limit their use. If you are a Christian[4] (and particularly if you are the head of your home), you were given the responsibility to keep and bear arms long before the ratification of the Constitution:

> Let the high praises of God be in their mouth, and a two-edged sword in their hand; to execute vengeance upon the heathen, and punishments upon the people; to bind their kings with chains, and their nobles with fetters of iron; to execute upon them the judgment written: this honour have all his saints. Praise ye YH.[5] (Psalm 149:6-9)[6]

Constitutionalists often point out that the Second Amendment was added to deter and protect individuals from tyrannous governments. Why do Christian men need the Second Amendment to provide this entitlement when they already have Psalm 149?

State Licensing

Why do Christians think they need the state to sanction self-defense or any other God-given responsibility? This is a question that should be asked not only by gun owners, but also by anyone who seeks the state's approval to be married and by preachers who seek the government's 501(c)(3) tax exempt incorporation status. What Yahweh ordained and commanded does not require the state's permission or license. If Yahweh's commands need to be authorized by the state, then Yahweh is subservient to the state.

When the government requires a license, it does so to provide legality to what it has otherwise declared illegal. Since when did marriage, preaching the gospel, and self-defense become illegal? *Since the state chose to disregard Yahweh's sanction of these activities and began licensing them*. Although the state is currently lenient with those who preach without government sanction, marry without a license, and own firearms without permits, it may not always overlook these "transgressions." When that day comes, it will be imperative for Christian men to recognize their authority to keep and bear arms comes, not from WE THE PEOPLE, but from Yahweh.

Of even greater significance is the Second Amendment's usurpation of *the power* to grant the right to bear arms. For Christian patriots to hang their "firearms hat" on the Second Amendment is an acknowledgement that WE THE PEOPLE is their god and that the Constitution, and not the Bible, is their supreme law. The battle over the responsibility to bear arms was *lost* in 1789 with the ratification of the Constitution. Until Americans recognize this, we will be forced to watch the 2008 Supreme Court drama again and again, with each and every decision determined by the prevailing "morality" of the then-standing Supreme Court's deciding majority.

Firearms: Biblically Defended Self-Defense

Because many of today's pulpits are filled with antinomian, pacifistic, anti-gun pastors, most of today's Christians are unaware Yahweh ordered His disciples to arm themselves. Consequently, Christians have looked to the Second Amendment for their authority to keep and bear arms. Had they been following the Apostle Paul's instructions in 2 Timothy 2:15 ("Study to shew thyself approved unto God, a workman that needeth not to be ashamed, rightly dividing the word of truth") instead of relying on such pastors, they would have found their authority in the Bible. The question regarding firearms is one of self-defense:

If the thief is caught while breaking in, and is struck so that he dies, there will be no bloodguiltiness on his account. But if the sun has risen on him, there will be bloodguiltiness on his account…. (Exodus 22:2-3, NASB)

The crime described in this passage is not theft, but burglary. *Bouvier's Law Dictionary* defines burglary:

The breaking and entering the house of another in the night-time, with intent to commit a felony therein, whether the felony be actually committed or not.[7]

A person who defends his family, home, or possessions by killing a thief in the dark of the night is not to be held accountable for murder. However, if an unarmed thief who has no intent to cause bodily harm is killed during daylight hours, the killer is to be held responsible for the thief's death.

Whereas theft is an Eighth Commandment ("Thou shalt not steal") violation, burglary is a Sixth Commandment ("Thou shalt not kill") violation and is, therefore, a capital crime. Stealing is a crime punishable by restitution *except* when a thief is caught breaking into someone's home under the concealment of darkness. Although not stated, the obvious reason for this distinction is the impossibility of determining an intruder's intentions in the dark of night. Under such conditions, you cannot quickly ascertain whether the intruder is an unarmed thief or someone with a more malicious intent. During a night raid, Yahweh gives the benefit of the doubt to the homeowner and allows him, regardless the intruder's intentions, to slay the intruder with impunity, just as if he were a known murderer or rapist. In principle, the same would be true if an assailant's intentions are dubious during daylight hours.

Because Yahweh's law clearly provides for self-defense, our Savior was also a proponent of self-defense. Although self-defense is not the primary focus of the following two statements, Jesus[8] would have never used them as examples if He did not endorse self-defense:

…if the head of the house had known at what time of the night the thief was coming, he would have been on the alert and would not have allowed his house to be broken into. (Matthew 24:43, NASB)

When a strong man, fully armed, guards his own homestead, his possessions are undisturbed. (Luke 11:21, NASB)

The better armed we are, the less likely someone will steal from us or harm us and our families. Jesus commanded His disciples to purchase weapons:

Then said he unto them … he that hath no sword, let him sell his garment, and buy one. (Luke 22:36)

Jesus never told His disciples to register their swords with the government. Fredrick Bastiat described self-defense as a natural right:

> Each of us has a natural right – from God – to defend his person, his liberty, and his property. These are the three basic requirements of life, and the preservation of any one of them is completely dependent upon the preservation of the other two. For what are our faculties but the extension of our individuality? And what is property but an extension of our faculties?[9]

What Bastiat depicted as a natural right, the Apostle Paul described as a God-required responsibility:

> …if any provide not for his own, and specially for those of his own house, he hath denied the faith, and is worse than an infidel. (1 Timothy 5:8)

After providing for his family's spiritual safety, a Christian man's next priority should be providing for his family's physical protection. Food, clothing, and shelter are of little benefit if you are unprepared or unwilling to defend your family against thieves, rapists, and murderers. It is not unchristian to practice self-defense – it is unchristian if you do *not*.

Defense of Others

Abraham and Moses provide Biblical precedents for taking the law into your own hands to thwart a crime in process. In Genesis 14, Abraham intervened to rescue his nephew Lot and in the process killed some of his kidnappers. In Exodus 2, Moses slew an Egyptian taskmaster who was assaulting a fellow Israelite. Vigilantism is Biblically required[10] when defending or rescuing another person or to prevent or stop any other crime from occurring:

> If the bystander has an obligation to render aid "with all lost things" of another man [Deuteronomy 22:1-3], he has an even more pressing obligation to help rescue the man. Thus, this principle of responsibility appears in Deuteronomy 22:24. A woman assaulted in a city is presumed to have given consent if she does not raise a cry, the origin of the hue and cry common law. At her cry, every man within sound of her voice has a duty to render immediate aid….[11]

An eyewitness to a crime has an obligation to the victim and to society to intervene and stop the perpetrator. How many crimes would be averted if thieves, rapists, and murderers knew every able Christian man would do whatever necessary to stop them? How much more so, if every law-abiding man also carried a firearm, as per Psalm 149 and Luke 22, for his own protection and the protection of his family and neighbors? Armed citizens are much more likely to intervene and arrest lawbreakers than are those who are unarmed.

In cities such as Kennesaw, Georgia, where every household is required by law to possess a firearm, the need for police protection is all but eliminated. Unless an officer happens to be at the right place at the right time, the police are ineffective at stopping or preventing crime. Their presence in a community is more for investigative than preventative purposes:

> General Sessions Court Judge Bob Moon said … that crime in Chattanooga [Tennessee] "has become so rampant that it is no longer possible for the police department to protect our citizens." He told a woman who had been pulled from her car and beaten in the head that she or her mother needed to "purchase a weapon, obtain a gun permit and learn to protect yourself."[12]

A gun in the hand is better than a cop on the phone. In *Castle Rock v. Gonzales*, 545 U.S. 748 (2005), the Supreme Court ruled that police have no obligation to protect citizens. And yet, the United States federal and state governments have practically stripped their citizens of their inherent God-given responsibility for self-protection and intervention, with the exception of those who jump through government hoops to secure a concealed weapons permit.

By employing the term "assault weapons," the anti-gun lobby associates all gun owners with criminal intent. But the vast majority of gun owners are not criminals and have no intentions of assaulting anyone. They do not own *assault* weapons; instead, they are armed with *defense* weapons. Regardless of the attempts by the government, the media, and even certain preachers to vilify self-defense, every Christian man is commissioned by Jesus and by the law of Yahweh to defend his family, his possessions, his fellow man, and himself. Every Christian woman without a man to protect her should likewise arm herself.

Where Does *Your* Authority Come From?

Now there was no smith found throughout all the land of Israel: for the Philistines said, Lest the Hebrews make them swords or spears: But all the Israelites went down to the Philistines, to sharpen every man his [plow]share, and his coulter, and his axe, and his mattock.... So it came to pass in the day of battle, that there was neither sword nor spear found in the hand of any of the people that were with Saul and Jonathan.... (1 Samuel 13:19-22)

The effort to deprive us of our means of protection has been with us from nearly the beginning of time. It is imperative we understand the authority to arm ourselves comes from Yahweh.

Nearly all gun enthusiasts point to the Second Amendment as their authority for possessing firearms, which means their authority to keep and bear arms can be traced back to 1791. Where did the men living in America *prior* to 1791 get their authority to be armed? Do you suppose they might have gotten it from Exodus 22:2-3; Deuteronomy 22:23-24; Psalm 149:6-9; Luke 11:21, 12:39, 22:36; and 1 Timothy 5:8. Carrying a weapon was already lawful by Yahweh's standards, so why, in 1791, did we need the authorization of the Second Amendment?

If your authority to keep and bear arms is derived from the Second Amendment – from the god WE THE PEOPLE – it is unlikely you will react any differently from the British and Australians who surrendered their weapons when required to do so by their respective governments. On the other hand, if your faith is in Yahweh's sovereign authority, you will be far less likely to turn over your weapons to any civil government unauthorized by the omnipotent Supreme Ruler of the universe.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. H. J. Res. 438.

2. "...the National Guard is not the 'Militia' referenced ... in the Second Amendment.... Congress had organized the National Guard under its power to 'raise and support armies' and not its power to 'Provide for organizing, arming and disciplining the militia.' The modern National Guard was specifically intended to avoid status as the constitutional militia, a

distinction recognized by 10 U.S.C.311(a).” Report of the Subcommittee on the Constitution of the Committee on the Judiciary, United States Senate, Ninety-Seventh Congress, Second Session, February 1982, Senate Document 2807.

3. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, “The Third Commandment” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. the United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

4. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book Baptism: All You Wanted to Know and More may be requested from Bible Law vs. the United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

5. Where the Tetragrammaton (YHWH) – the four Hebrew characters (or its abbreviated YH) that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH or YH where appropriate. For a more thorough explanation concerning the names of God, “The Third Commandment” may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. the United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

6. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

7. John Bouvier, “Burglary,” *Bouvier's Law Dictionary*: *A Concise Encyclopedia of the Law*, 3 vols. (Kansas City, MO: Vernon Law Book Company, 1914) vol. 1, p. 404.

8. Yeshua is the English transliteration of our Savior’s given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the sacred names of God, “The Third Commandment” may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. the United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

9. Fredrick Bastiat, *The Law* (Irvington-on-Hudson, NY: The Foundation for Economic Education, Inc., [1848] 1987) p. 6.

10. For a study on *unlawful* vigilantism, the book *The Phinehas Hoods: A Biblical Examination of Unscriptural Vigilantism* may be read online, or the book may be ordered from Bible Law vs. the United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363 for a suggested $3 donation.*

11. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) p. 464.

12. “Judge Advises Crime Victim to Arm Herself After Attack: Moon Says No Longer for Police to Protect Citizens,” 27 June 2008, www.chattanoogan.com/articles/article_130537.asp.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 13

Amendments 3 & 4: Constitutional vs. Biblical Privacy

Amendment 3

> No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war but in a manner to be prescribed by law.

Amendment 4

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Home and Castle

Although perhaps not immediately apparent, Amendments 3 and 4 are already provided for by case law in Deuteronomy 24:

When thou dost lend thy brother any thing, thou shalt not go into his house to fetch his pledge. Thou shalt stand abroad [remain outside, NASB], and the man to whom thou dost lend shall bring out the pledge abroad unto thee. (Deuteronomy 24:10-11)[1]

Even a man who has a lawful claim to another man's pledge is not permitted to trespass another man's home. In 1763, Sir William Pitt, Earl of Chatham, England, wrote what might be considered an applied commentary of Deuteronomy 24:10-11:

The poorest man may in his cottage bid defiance to all the forces of the Crown. It may be frail – its roof may shake – the wind may blow through it – the storm may enter – the rain may enter – but the King of England cannot enter! – all his force dare not cross the threshold of the ruined tenement.[2]

Under constitutional law, the United States government is no longer obligated to honor its guarantee because it has appropriated *all* private property via property taxes and is consequently de facto owner of all property in America. (See Chapter 14 "Amendment 5: Constitutional vs. Biblical Judicial Protection" and Chapter 25 "Amendment 16: Graduated Income Tax vs. Flat Increase Tax" for additional information regarding the unbiblical property tax.)

In Time of War

Amendment 3 provides for the quartering of soldiers "in time of war" as "prescribed by [United States government] law," whereas Yahweh's[3] law makes no such provision. Under Yahweh's law, a man's home and property belong to him, not the government. He has final say over who may or may not enter. Homeowners (unless they are wanted fugitives) are protected from *all* uninvited visitors, even during war.

The Exception

In the eyes of Yahweh, personal privacy ends where criminal activity begins. For example, sexual infractions in the privacy of one's home are *not* exempt from intervention, prosecution, and the appropriate Biblical punishment:

If a man be found lying with a woman married to an husband, then they shall both of them die…. (Deuteronomy 22:22)

In Numbers 25:6-8, when Zimri (an Israelite) took Cozbi (a Midianite woman) into his tent and fornicated with her, Yahweh honored Phinehas for entering and killing them both. Many well-known "conservative" Christian leaders take a contrary position to this Seventh Commandment judgment, particularly as it pertains to homosexuality.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- •The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- •The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

2. Sir William Pitt, quoted in Clive Bigham, *The Prime Ministers of Britain*, *1721-1921* (Whitefish, MT: Kessinger Publishing, 1924) p. 83.

3. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although we have suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 14
Amendment 5: Constitutional vs. Biblical Judicial Protection

> No person shall be held to answer for a capital or other infamous crime unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Grand Juries vs. Biblical Protocol

The grand jury consists of not more than twenty-three men called in by the sheriff of the county (or by the United States marshal of the District) to hear witnesses respecting any subject that may properly be brought before them. If they believe that a person accused should be brought to trial, they return into court a "true bill" or indictment, which is a formal charge in writing that acts were done amounting to a crime; otherwise they write "no bill." The person indicted is later brought to trial before a petit jury of twelve, which after hearing the evidence on both sides, returns a verdict of guilty or not guilty.[1]

When judicial proceedings are conducted according to Yahweh's[2] protocol, grand juries are as unnecessary and inherently flawed as are petit, or trial, juries. (See Chapter 6 for information concerning the United States Constitutional Republic's unbiblical jury system.) Yahweh has provided the following six safeguards in His Word:

Safeguard 1

Be not a witness against thy neighbour without cause…. (Proverbs 24:28)[3]

Frivolous cases that fail to merit the court's attention should be immediately dismissed. This criterion alone would eliminate most cases clogging today's courts.

Safeguard 2

If a man deliver unto his neighbour an ass, or an ox, or a sheep, or any beast, to keep; and it die, or be hurt, or driven away, no man seeing it: Then shall an oath of YHWH[4] be between them both, that he hath not put his hand unto his neighbour's goods; and the owner of it shall accept thereof, and he shall not make it good. (Exodus 22:10-11)

The oath of Yahweh is also referred to in the New Testament epistle to the Hebrews:

For men swear by one greater than themselves, and with them an oath given as confirmation is an end of every dispute. (Hebrews 6:16, NASB)

In order for such an oath to affect disputes, it must be self-maledictory – that is, an oath by which the person calls a curse upon himself if he gives false testimony. A self-maledictory oath to Yahweh should be required of all litigants in every court case:

If any man trespass against his neighbour, and an oath be laid upon him to cause him to swear, and the oath come before thine altar in this house: Then hear thou in heaven, and do, and judge thy servants, condemning the wicked, to bring his way upon his head; and justifying the righteous, to give him according to his righteousness. (1 Kings 8:31-32)

Unlike the vast majority of oaths taken in our modern courts (or by presidents and other politicians who break their oaths of office whenever it is to their advantage), biblical oaths actually have clout:

An oath, according to Biblical law, consisted in the invocation of God to witness the covenant or promise of the person taking it and to take vengeance upon him if he should fail to keep his word. Thus it was not the mere taking of an obligation to testify truly, but was a method of solemnizing a promise to do or not to do a certain thing and which, without an oath, was not considered binding.[5]

> The oath of a witness was originally an appeal to God to bear witness to the truth of his testimony and to visit vengeance upon him if it should be false.[6]

To swear falsely in Yahweh's name is a Third Commandment violation punishable by death:

And ye shall not swear by my name falsely, neither shalt thou profane the name of thy God: I am YHWH. (Leviticus 19:12)

> And he that blasphemeth the name of YHWH, he shall surely be put to death, and all the congregation shall certainly stone him: as well the stranger, as he that is born in the land.... (Leviticus 24:16)
>
> …Thou shalt not live; for thou speakest lies in the name of YHWH.... (Zechariah 13:3)

In capital cases, litigants could incur the death penalty on perjury alone.

Safeguard 3

One witness shall not rise up against a man for any iniquity, or for any sin, in any sin that he sinneth: at the mouth of two witnesses, or at the mouth of three witnesses, shall the matter be established. (Deuteronomy 19:15)

Every matter must be determined by the testimony of at least two witnesses. Under Yahweh's judicial system, a false accuser cannot even hope to get his case docketed without coercing or bribing someone else to take the same risk, as described in Safeguard 6.

Safeguard 4

If a false witness rise up against any man to testify against him that which is wrong; then both the men, between whom the controversy is, shall stand before YHWH, before the priests and the judges, which shall be in those days; and the judges shall make diligent inquisition.... (Deuteronomy 19:16-18)

Every man is given an opportunity in court to defend himself against his accusers. This affords the presiding judge the opportunity to make "diligent inquisition" into the accusations, to administer self-maledictory oaths, and to determine which litigant is speaking the truth.

Safeguard 5

Then shalt thou bring forth that man or that woman, which have committed that wicked thing, unto thy gates, even that man or that woman, and shalt stone them with stones, till they die. At the mouth of two witnesses, or three witnesses, shall he that is worthy of death be put to death; but at the mouth of one witness he shall not be put to death. The hands of the witnesses shall be first upon him to put him to death, and afterward the hands of all the people. So thou shalt put the evil away from among you. (Deuteronomy 17:5-7)

In capital cases, witnesses must be so certain of their testimony that they (along with the blood avengers, Deuteronomy 19:11-12) are prepared to initiate judgment upon the person against whom they testify. In non-capital cases, in which a judge prescribes a beating as punishment (Deuteronomy 25:1-3), the witnesses would assist in the flogging.

Safeguard 6

If a false witness rise up against any man to testify against him that which is wrong … then shall ye do unto him, as he had thought to have done unto his brother: so shalt thou put the evil away from among you. And those which remain shall hear, and fear, and shall henceforth commit no more any such evil among you. And thine eye shall not pity; but life shall go for life, eye for eye, tooth for tooth, hand for hand, foot for foot. (Deuteronomy 19:16-21)

Before going to trial, a false witness must take a calculated risk. If a witness is caught perjuring himself, he is to suffer the same punishment he intends for his victim. This judgment, known as *lex talionis*, or the law of retribution, protects the integrity of the court and all but guarantees truthful testimony.

One of the major problems creating backlogs in courts today is the pervasive problem of perjury. District attorneys and prosecutors with whom I [John W. Welch] have spoken report that perjury is rampant and that they assume that virtually every witness is lying to some degree. Yet perjury is hardly ever studied, let alone prosecuted. The stakes are too small, and the difficulty in getting a conviction is too high.… The biblical legal system worked largely because it exacted high penalties for perjury. The prohibition against bearing false witness was aimed not so much against lying in general but more particularly against committing perjury in a judicial proceeding, especially where the name of God was invoked in bearing testimony as witness (and therefore offending God by such prevarication). Biblical law assumed that people would tell the truth, and oaths were taken very seriously. If they did not tell the truth, false witnesses were punished by suffering the consequences that would have befallen the person against whom they had falsely testified.[7]

Yahweh placed these six safeguards within His judicial system to assure maximum protection against fallacious court cases and false testimony. If we would return to Yahweh's law, particularly these Ninth Commandment statutes, few would dare bear false testimony, and the need for grand and petit juries would be eliminated.

Double Jeopardy

Amendment 5 forbids "any person [to] be subject for the same offence" and thereby to "twice be put in jeopardy of life or limb." However, because this amendment does not stipulate the number of times a grand jury can be convened for the same person, prosecuting attorneys have been known to keep calling up grand juries until they finally find one that decides in their favor. Safeguard 6 alone makes double jeopardy extremely unlikely. In capital cases, the death penalty commanded by Yahweh would mean either the convicted offender would not be alive to try a second time or the false witnesses would not be alive to testify a second time.

Self-Incrimination

The Fifth Amendment stipulates that no man can be compelled to testify against himself:

> The origins of the right go back to objections against the inquisitorial proceedings of medieval ecclesiastical tribunals as well as the British Courts of Star Chamber. By the late 17th century, the maxim of *nemo tenetur prodere seipsum* – no man is bound to accuse himself – had been adopted by British common law courts and had been expanded to mean that a person did not have to answer any questions about his or her actions. The state could prosecute a person, but could not require that he or she assist in that process. The colonies carried this doctrine over as part of the received common law, and many states wrote it into their early bills of rights. Madison included it as a matter of course when he drafted the federal Bill of Rights.[8]

Today this idea is often described as "taking the Fifth." In *Miranda v. Arizona*,[9] this provision was expanded. Writing on behalf of a five to four majority, Chief Justice Earl Warren concluded that a person under arrest had to be clearly informed of the constitutional right to remain silent because anything said at that point could be used against him in a court of law. Many people laud the Fifth Amendment and Justice Warren's ruling, but how does "taking the Fifth" comport with Yahweh's law?

Required Oaths

The Fifth Amendment's self-incrimination exception conflicts with Yahweh's oath requirement in Exodus 22:10-11 and 1 Kings 8:31-32, in which litigants are prohibited from remaining silent. In Joshua 7:19, Joshua required Achan to "give … glory to YHWH God of Israel and make confession unto him."

Anyone who does not plead guilty *must* swear to his innocence and pay the consequences if proven otherwise. Pleading innocent, as done in today's constitutional courts with essentially no judgment for perjury, is not the same as swearing a self-maledictory oath, which, in capital cases, can result in the death penalty if the litigant perjures himself. For crimes of theft, anyone caught in an intentional cover-up is required to pay an additional twenty percent of the two to five times restitution (Exodus 22:1, 4) already required, depending upon the nature of the theft:

> If a soul sin, and commit a trespass against YHWH, and lie unto his neighbour … or hath deceived his neighbour … and sweareth falsely [in a court of law]…. Then it shall be, because he … is guilty, that he shall restore that which he took violently away, or the thing which he hath deceitfully gotten, or that which was delivered him to keep, or the lost thing which he found, or all that about which he hath sworn falsely; he shall even restore it in the principal [in full, NASB], and shall add the fifth part more thereto, and give it unto him to whom it appertaineth, in the day of his trespass offering. (Leviticus 6:2-5)

The two to five times restitution is the judgment for theft; the additional twenty percent is the judgment for perjury. This added judgment serves to motivate apprehended thieves to confess their crimes, which, in turn, would expedite their cases and save court expenses.

Required Testimony

Leviticus 5 demands testimony of *all* witnesses, including the accused:

> If someone is officially summoned to give evidence in court and does not give information about something he has seen or heard, he must suffer the consequences.… When a person is guilty, he must confess the sin. (Leviticus 5:1, 5, TEV)

The Ninth Commandment not only condemns false testimony, it *demands* truthful testimony. Leviticus 5:1 requires a criminal to testify against himself, whereas the Fifth Amendment declares a criminal cannot be compelled to do so. In effect, the Fifth Amendment sides with the criminal.

American jurisprudence further dictates that no one can be compelled to testify against a spouse. This exception is another transgression of Leviticus 5:1. Yahweh's law requires relatives and friends alike to not only testify against anyone promoting idolatry, but to also participate in their execution:

> If thy brother, the son of thy mother, or thy son, or thy daughter, or the wife of thy bosom, or thy friend, which is as thine own soul, entice thee secretly, saying, Let us go and serve other gods, which thou hast not known.… Thou shalt not consent unto him, nor hearken unto him; neither shall thine eye pity him, neither shalt thou spare, neither shalt thou conceal him: But thou shalt surely kill him; thine hand shall be first upon him to put him to death, and afterwards the hand of all the people. And thou shalt stone him with stones, that he die; because he hath sought to thrust thee away from YHWH thy God.… (Deuteronomy 13:6-10)

The Bible depicts murder as blood crying from the ground for justice. Certainly, Yahweh requires a wife to disclose a murder committed by her husband. Does it seem reasonable that He would prefer a wife to allow the murder to go unpunished in order to remain loyal to her guilty husband? In Acts 5, the Apostle Peter required Sapphira to testify against her husband Ananias. Sapphira chose to lie and Yahweh struck her dead. (He had already struck Ananias dead when he refused to testify against himself.) On the other hand, in 1 Samuel 25, righteous Abigail was rewarded for testifying against her husband Nabal to save his and the lives of others who were innocent.

The spousal exemption in American jurisprudence came, not from the Bible, but from the heretical Babylonian Talmud:

> No relation of the man on trial is eligible to give evidence, and the disqualifying relationships are carefully listed – kinsmen, father, brother, father's brother, mother's brother, sister's husband, father's sister's husband, mother's sister's husband, together with all their sons and sons-in-law. A stepson may not give evidence, but his sons can. In general, no one qualified to be the heir of the person on trial can give evidence (Sanhedrin 3.3, 4; Makkoth 1.8). Neither a friend nor an enemy can give evidence. The friend is described as one who had been the accused's groomsman and an enemy as one who has not spoken to him for three days, because of a difference (Sanhedrin 3.5).[10]

These exceptions eliminate almost everyone from testifying in courts of law. Because the Talmud is nearly always antithetical to Yahweh's law, this should come as no surprise.[11] Certain Bible expositors have also attempted to exempt pastors and doctors from Leviticus 5:1:

> The right to silence on the grounds of privileged communication is to a degree granted to pastors and doctors. The presupposition in both cases is the same. The statements or confessions made by a person to his pastor or doctor in the course of a formal or professional relationship are privileged communications, because the person in question is in effect

confessing to God in the form of a ministering agent.... This does not deny the duty of pastor and doctor to urge a person to make restitution where restitution is due, or to urge confession where confession is due. It is their duty to uphold the law of God by urging compliance with it of all who come to them, but they cannot go beyond that fact of counsel.[12]

The source of this "privileged communication" is not Yahweh's law. The Catholic Church's Seal of Confession (or Seal of Secrecy) demands the same unbiblical protection for their priests:

In the "Decretum" of the Gratian ... we find ... the following declaration of the law as to the seal of confession: "Deponatur sacerdos qui peccata p nitentis pulicare praesumit.", i.e., "Let the priest who dares to make known the sins of his penitent be deposed."[13]

Attorneys are allegedly exempt from Leviticus 5:1 as well:

…conferences with one's attorney are privileged communications, since the attorney serves as the defendant's agent and representative in court. To compel an attorney's testimony is to deny the defendant his liberty and privacy.[14]

Nowhere does the Bible authorize or sanction attorney privileges. Defense attorneys routinely cover up their clients' crimes to get them acquitted. In so doing, they transgress Leviticus 5:1 and become accomplices to their clients' crimes. When an attorney is aware of his client's guilt and does not testify against his client, his attorney fee should be treated as a bribe against justice. Under Yahweh's law, the spouse, priest, pastor, doctor, or lawyer who conceals a crime by refusing to testify should face the judgment of *lex talionis*. Imagine how many crimes would be solved (or prevented) if criminals knew their attorneys were required to testify against them.

What's more, diplomatic immunity doesn't exist under Yahweh's law. *All* foreigners are the under the same law and will be prosecuted the same as a citizen:

One law shall be to him that is homeborn, and unto the stranger that sojourneth among you. (Exodus 12:49)

Due Process and Just Compensation

The Fifth Amendment concludes with the provisions that no one shall be "deprived of ... property without due process of law" and "private property [shall not] be taken for public use without just compensation." Because this provision allows the government to legally steal private citizens' lands, these assurances are a cover for theft. Because of Amendment 5's promise of "just" compensation, most people do not even think to ask whose "due process of law" is going to be employed and whether the government's confiscation of private lands for public use is ethical or whether governments should own property at all. According to the United States Constitution, "just compensation" is what the government, not the private owner, decides is equitable.

Private Property

But thou shalt remember YHWH thy God: for it is he that giveth thee power to get wealth.... (Deuteronomy 8:18)

Property is inherent to both the Fourth (Remember the sabbath day to keep it holy) and Eighth (Thou shalt not steal) Commandments. The Fourth Commandment's stipulation regarding six days of labor provides a means of acquiring property, and the Eighth Commandment is predicated upon the right of property ownership.

> Is it not lawful for me to do what I will with mine own? (Matthew 20:15)

Property implies ownership and ownership entitles the owner to do with his property whatever he wishes, provided it does not damage others:

> …the power of ownership must be absolute. It is black and white; I own a thing or I don't. I may own a part of it, but there is no such thing as a part of ownership. Christians have a commonplace saying that every man's home is his castle. He is king in his own residence; he may go to any lengths to stop a trespass; soldiers, in the United States, may not be quartered in his home without his consent; and not even a policeman may enter without a proper warrant issued under careful safeguards. If a man really owns his property, he may refuse to sell it, even to a king, as Naboth refused to sell his vineyard to King Ahab. He may dispose of it at his death by will; he may develop it or not as he sees fit, and within the limits of it there isn't much he can't do. The same conditions apply to personal property and money.[15]

Three attributes distinguish a property owner:

> A good or an asset is defined to be private property if, and only if, three distinct sets of rights are associated with its ownership. First, the exclusive right to *use* (or to decide how to use) the good may be viewed as the right to exclude other individuals from its use. Second is the exclusive right to receive *income* generated by the use of the good. Third, the full right to *transfer*, or freely 'alienate,' its ownership includes the right to enter into contracts and to choose their form.[16]

The Fourth and particularly the Eighth Commandments stand in stark contrast to both the Fifth Amendment of the Constitution and the comparable First Plank of the Communist Manifesto: "Abolition of private property and the application of all rent to public purpose."

The Fifth Amendment also violates Yahweh's statute regarding His Jubilee:

> And thou shalt number seven sabbaths of years unto thee … forty and nine years…. And ye shall hallow the fiftieth year, and proclaim liberty throughout all the land unto all the inhabitants thereof: it shall be a jubilee unto you; and ye shall return every man unto his possession, and ye shall return every man unto his family…. And if thou sell ought unto thy neighbour, or buyest ought of thy neighbour's hand…. The land shall not be sold for ever: for the land is mine … that which is sold shall remain in the hand of him that hath bought it until the year of jubilee: and in the jubilee it shall go out, and he shall return unto his possession. (Leviticus 25:8-28)

The year of Jubilee makes it impossible for a man to amass property or for the government to confiscate private property.

Government Theft

> Moreover the prince shall not take of the people's inheritance by oppression, to thrust them out of their possession … that my people be not scattered every man from his possession. (Ezekiel 46:18)

Governments tend to be more ingenious than the average citizen in the diverse ways they steal. In 1848, French statesman Frederic Bastiat expounded upon this inherent vice of human governments:

The law has placed the collective force at the disposal of the unscrupulous who wish, without risk, to exploit the person, liberty, and property of others. It has converted plunder into a right, in order to protect plunder. And it has converted lawful defense into a crime, in order to punish lawful defense. …[t]he law is used by the legislator to destroy in varying degrees among the rest of the people, their personal independence by slavery, their liberty by oppression, and their property by plunder.[17]

> …legal plunder can be committed in an infinite number of ways. Thus we have an infinite number of plans for organizing it: tariffs, protection, benefits, subsidies, encouragements, progressive taxation, public schools, guaranteed jobs, guaranteed profits, minimum wages, a right to relief, a right to the tools of labor, free credit, and so on, and so on.[18]

Although most of this sounds all too familiar, the average United States citizen fails to recognize these "entitlements" as theft.

Yahweh's Property

Ultimately, all property belongs to Yahweh. He has blessed us with everything we possess and placed us as stewards over it. To keep our property and possessions in their proper perspective, we must humbly acknowledge that it is Yahweh who enables us to acquire everything we own:

The earth is indeed the Lord's, as is all dominion, but God has chosen to give dominion over the earth to man, subject to His law-word, and property is a central aspect of that dominion. The absolute and transcendental title to property is the Lord's; the present and historical title to property is man's.[19]

As stewards of Yahweh's gifts, Christians[20] should regard wealth and property as a means of furthering His kingdom. The tithe from a property's increase is particularly intended for building the kingdom. It is tacit testimony that Yahweh possesses title to the earth. (Our biggest concern regarding property taxes should not be the taxes themselves, but instead their implications of ownership. See Chapter 25 "Amendment 16: Graduated Income Tax vs. Flat Increase Tax" for information regarding the unbiblical nature of property taxes.) Yahweh holds ultimate jurisdiction over the entire earth and everything on it. The constitutional framers had no right to claim the Constitution as the supreme law of the land since they neither created nor held title to the land.

Eminent Domain

The Fifth Amendment's provision for property confiscation is applied in eminent domain, which is nothing more than a form of organized theft:

Thou shalt not remove thy neighbour's landmark, which they of old time have set in thine inheritance…. (Deuteronomy 19:14)

Eminent domain – the Constitutional Republic's alleged right to seize property for the "betterment" of the people – is one way the government moves boundary markers and steals from its citizens. *Bouvier's Law Dictionary* defines eminent domain, in part, as follows:

> The superior right of property subsisting in a sovereignty, by which private property may in certain cases be taken or its use controlled for the public benefit, without regard to the wishes of the owner.... The right of every government to appropriate otherwise than by taxation and its police authority ... private property for public use.[21]

This property appropriation and redistribution is allegedly justified under the guise of urban renewal, by which private property is condemned for private use or sometimes transferred from one private owner to another. This occurred in the infamous 2005 case of *Kelo v. City of New London*,[22] in which the Supreme Court decided five to four in favor of stealing a private owner's home and property and transferring it to another individual under the auspices of furthering economic development. These types of decisions were made possible when, in 1954, in *Berman v. Parker*,[23] the Supreme Court expanded the government's "right" to confiscate private property to include "eliminating blight" as justification for such theft. Because Deuteronomy 19:14 offers no exception clause, no individual or body of individuals has the authority to steal land by moving boundary markers, regardless the reason:

> Eminent domain is ... an attribute of ultimate sovereignty, and therefore it is an attribute of divinity.... The right of eminent domain, then, is a divine right and power. Moreover, there are no degrees of divinity: divinity is a total concept. A deity is either divine, or he is not; he is either a god, or he is not. Thus, when the state lays claim to divinity, it lays claim to total power. The right of eminent domain ostensibly limits the state to the confiscation of properties necessary to the common good, or to the public welfare. But the state is the judge of the common good and public welfare, and so the power of eminent domain expands steadily towards the total possession by the state of all properties within the state. The state, being viewed as the higher or supreme power, and the possessor of eminent domain, is seen as the natural guardian and agency of the public welfare. In terms of this presupposition, private ownership is seen as hostile to the common good, whereas state ownership advances the public welfare.... The right of eminent domain, therefore, by associating a "necessary common use" or good with the state, makes the state into a benevolent god whose control and ownership are necessary to the welfare of man.[24]

The "need" for straight highways is often cited by proponents of eminent domain. But which is more important – straight highways or private property? Yahweh did not provide for straight highways in His law, but He *did* establish private property. Eminent domain – as provided by the Fifth Amendment – is an impressive term for legalized plunder. Because only Yahweh is sovereign, only He holds eminent domain to all land (Exodus 19:5, Leviticus 25:23). Any government claiming domain is breaking not only the Eighth Commandment when it enforces that claim, but also the Second Commandment by usurping Yahweh's sovereign ownership.

Public Lands

The creation of public lands is another method employed by the Constitutional Republic to move boundary markers. Identifying these lands as "public" is part of the ruse to conceal the theft. Except that the public is permitted limited access, they are not public at all. These lands, which are often stolen by legislation (such as the Wilderness Act of 1964, the Clean Air Act of 1970, the Endangered Species Act of 1973, and the Clean Water Act of 1977) from private property owners, are owned by the government, not the public. Even public use is changing due to the government's increasing restriction of access. The fact that the government can and does restrict access further proves its ownership. Moreover, the public is perpetually paying taxes toward upkeep and paying fees to gain admittance to National Parks and other lands that are supposedly already theirs.

The people's support of public lands is misplaced. The government has yet to demonstrate it can manage *anything* better than private entrepreneurs. Certainly, private owners would recognize Yellowstone National Park's potential source of revenue and make parts of it available to the public, probably at far less expense. Dude ranches are one example of how private citizens are doing exactly this on a smaller scale.

All the Land

Public lands are just the tip of the iceberg. *All* of America is owned by federal and state governments via their claim to property taxes and eminent domain:

> …technically the state as sovereign … [has] ultimate title to the land, so too does it have ultimate title to the land on which rests churches and private houses.[25]

Most people are unaware that eminent domain confers ownership of *all* land to the government. Although the government covers up its theft by paying what *it* considers just compensation for the land, it can seize any part or all of any citizen's land at its discretion:

> Eminent Domain as Exercise of Sovereignty. It was the theory of Grotius that the power of eminent domain was based on the principle that the state had an original and absolute ownership of the whole property possessed by the individual members of it; antecedent to their possession, and that their possession and enjoyment of it being subsequently derived from a grant by the sovereign, it was held subject to a tacit agreement or implied reservation that it might be resumed and all individual rights to it extinguished by a rightful exertion of this ultimate ownership by the state.[26]

If a property owner does not have *total* control over his land, he does not own it. No middle ground exists. It is oxymoronic to say you own something when you do not have absolute control over it. Because the government maintains the right and has the power to tax and confiscate property, as well as exercise eminent domain, the property most people think they own is not really theirs at all.

That government can and does exercise eminent domain anytime and anywhere it chooses proves it has stolen title to all the land in America. The only difference between King Ahab's theft of Naboth's vineyard in 1 Kings 21:1-16 and the Constitutional Republic's theft under the guise of taxation and eminent domain is that today's government is more sophisticated and all-inclusive in its methods. Just because the government seldom exercises its claim to eminent domain does not make it any less a reality. Ultimately, the government can seize any citizen's land at will. Because Yahweh's eminent domain encompasses the entire earth, the Constitutional Republic is a thief who steals from Yahweh.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

[1] Thomas James Norton, “The Constitution For the United States: Its Sources and Its Application: Article [Amendment] V,” http://www.barefootsworld.net/consti11.html.

[2] YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, “The Third Commandment” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

[3] All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

[4] Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, “The Third Commandment” may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

[5] H. B. Clark, *Clark's Biblical Law* (Portland, OR: Binfords & Mort, 1943) p. 102.

[6] Ibid., p. 294.

[7] John W. Welch, “Biblical Law in America: Historical Perspectives and Potentials for Reform,” 30 September 2002, http://www.contra-mundum.org/essays/theonomy/WEL1.pdf.

[8] International Information Programs, USINFO.STATE.GOV, “Rights of the Accused,” *Rights of the People*: *Individual Freedom and the Bill of Rights*, http://usinfo.org/enus/government/overview/accused.html.

[9] *Miranda v. Arizona*, 384 U.S. 436 (1966).

[10] William Barclay, *The Ten Commandments for Today* (Grand Rapids, MI: William B. Eerdman's Publishing Company, 1946) pp. 199-200.

[11] For documentation regarding the heretical nature of the Babylonian Talmud, *God's Covenant People: Yesterday, Today and Forever* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

[12] Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) p. 567.

[13] “The Law of the Seal of Confession,” *Online Catholic Encyclopedia*, www.newadvent.org/cathen/13649b.htm.

[14] Rushdoony, p. 567.

[15] Robert Ingram, *The World Under God's Law*: *Criminal Aspects of the Welfare State* (Houston, TX: St. Thomas Press, 1962/1981) p. 94.

[16] Steven N.S. Cheung, *The Myth of Social Cost*, p. 34, quoted in Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: The Institute for Christian Economics, 1997) p. 576.

17. Frederic Bastiat, *The Law* (Irvington-on-Hudson, NY: The Foundation for Economic Education, Inc., [1848] 1987) pp. 8-11.

18. Ibid., p. 22.

19. Rushdoony, p. 451.

20. Not everyone claiming to be a Christian has been properly instructed in the biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book Baptism: All You Wanted to Know and More may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

21. John Bouvier, *Bouvier's Law Dictionary*: *A Concise Encyclopedia of the Law*, 3 vols., s.v. "Oath" (Kansas City, MO: Vernon Law Book Company, 1914) vol. 1, p. 1008.

22. *Kelo v. City of New London*, 545 U.S. 469 (2005).

23. *Berman v. Parker*, 348 U.S. 26 (1954).

24. Rousas John Rushdoony, *Politics of Guilt and Pity* (Nutley, NJ: The Craig Press, 1970) pp. 325, 327.

25. Leo Pfeffer, *God*, *Caesar*, *and The Constitution*: *The Court as Referee of Church-State Confrontation* (Boston, MA: Beacon Press, 1975) pp. 337-38.

26. William M. McKinney, Burdett A. Rich, eds., *Ruling Case Law*, quoted in Rousas John Rushdoony, *The Institutes of Biblical Law* (Vallecito, CA: Ross House Books, 1973) p. 500.

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 15
Amendment 6: Speedy Trials, Public Trials, and Impartial Juries

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

Speedy Trials

The Sixth Amendment's guarantee to a speedy trial is intended to protect defendants against lengthy incarceration prior to trial and to facilitate a fair trial, the impartiality of which might be compromised if postponed. However, good intentions are not always well executed. Under the United States constitutional juridical system, "speedy" is usually not speedy at all:

The Sixth Amendment speedy trial guarantee has been before the Supreme Court a number of times. The Court has spoken eloquently about its importance as a fundamental right and in *Klopfer v. North Carolina* (1967) incorporated it into the Fourteenth Amendment's Due Process Clause. Despite the applicability of the speedy trial doctrine to notoriously overcrowded state courts, the Court has rarely found the right to have been violated.... Observing that circumstances vary in each case, the Court rejected a hard and fast time-limit rule in favor of a balancing test that considers length of delay, reason for delay, prejudice to the defendant, and the defendant's timely assertion of rights.[1]

> A great many suspects in today's world are subject to considerable pretrial detention, notwithstanding the letter and spirit of the Sixth Amendment and the Eighth Amendment bail clause. Dejected and demoralized, many poor defendants may end up pleading guilty, even to crimes that they may not have committed, so that they can be released on the basis of time already served.[2]

Ezra 7:26 and Ecclesiastes 8:11's references to speedy judgments indicate timely trials are intrinsic in Yahweh's[3] judicial system. Except as a means to hold suspects for trial, Yahweh's law does not provide for jails or prisons. That, in itself, is an inherent demand for swift litigation. On the other hand, entitlement to a quick trial is seldom attainable under unbiblical juridical systems. The United States court system creates a vicious cycle that cannot be remedied. Because America is awash with "laws,"[4] nearly everyone eventually becomes a criminal, and because today's unbiblical juridical system provides inconsistent or no deterrents to criminals and perjurers, the courts are flooded with cases:

Because sentence against an evil work is not executed speedily, therefore the heart of the sons of men is fully set in them [given fully, NASB] to do evil. (Ecclesiastes 8:11)[5]

"Justice delayed is justice denied!" Countless laws, minimal deterrence, and delayed and protracted trials multiply criminals. The more criminals,[6] the more burdened the courts. The more burdened the courts, the slower justice. The slower justice, the less deterrence. The less deterrence, the more criminals.... It is a never-ending degenerative cycle. Today's appellate system, which allows criminals' numerous appeals, sometimes spanning years, exacerbates the problem. For example, it took ten years to finally put Ted Bundy, arguably America's most notorious serial sexual murderer, to death. By that time, the deterrent was all but lost upon the generation most familiar with the case. Thus more criminals, more court cases, more delayed justice, less deterrence, more criminals. Eventually, society morally collapses.

Under Biblical government's fewer laws and greater deterrence, far fewer criminals exist. All apprehended capital criminals are promptly brought to trial and, if found guilty, are immediately and publicly executed.[7] If a person is found guilty of a non-capital crime, he is required to pay two to five times restitution to the injured party, depending on the nature of the offense. If the convicted criminal cannot pay the required restitution, he is put into indentured servitude until his debt has been completely paid.[8] (See Chapter 22 "Amendment 13: Constitutional vs. Biblical Slavery" for additional information regarding the Biblical requirement for indentured servitude.) Under Yahweh's judicial system, there would be virtually no one to imprison, which eliminates the need for a tax-subsidized prison complex.[9]

Public Trials

The "right" to a public trial is rooted in the Bible. In ancient Israel, trials were held at the main entrance of every city and town where the public could observe all proceedings:

Judges and officers shalt thou make thee in all thy gates, which YHWH[10] thy God giveth thee, throughout thy tribes: and they shall judge the people with just judgment. (Deuteronomy 16:18)

The Sixth Amendment's promise for public trials is not absolute. For a variety of reasons, including the prejudicing influence of the media upon a jury, judges can rule a case closed to the public. This is never an option under Yahweh's law. Rather than limiting the public, today's runaway and often abusive media should be limited instead.

The Sixth Amendment's provision for public trials *is* Biblical and, as the constitutional framers intended, helps curb judicial abuse. Nevertheless, it falls short because it is not paired with public executions. Under Yahweh's law, not only were trials held publicly, so were executions:

If there be found among you, within any of thy gates which YHWH thy God giveth thee, man or woman, that hath wrought wickedness in the sight of YHWH thy God.... Then shalt thou bring forth that man or that woman, which have committed that wicked thing, unto thy gates, even that man or that woman, and shalt stone them with stones, till they die. (Deuteronomy 17:2-5)

The Apostle Paul emphasized the deterrent effect of public discipline:

Them that sin rebuke before all, that others also may fear. (1 Timothy 5:20)

Winston Churchill endorsed public executions:

No difficulties should be placed in the way of any … who may wish to see the sentence carried out. Justice in every form should not shrink from publicity. The last expiation which she exacts from man should not be hidden from the eyes of his fellow creatures.[11]

Private executions could be considered criminal:

…most people, including Christians, … prefer to assign to distant unknown executioners the grim task of carrying out God's judgment in private. This privatization of execution is immoral; it is itself criminal. It is unjust to the convicted criminal, and it is unjust to the surviving victims, who do not see God's justice done in public. The systematic impersonalism of capital punishment is the problem, not capital punishment as such. This deliberate impersonalism has corrupted the entire penal system today.

> …Even in the days of public executions, several centuries ago, the axeman wore a face mask. The Bible does not allow the establishment of a professional, taxpayer-financed guild of faceless executioners who, over time, inevitably grow callous and impersonal toward their awful … task, or else grow sadistic. Instead, the Bible imposes personal responsibility on members of society at large for enforcing this ultimate sanction. But people in the Christian West have always refused to accept this God-imposed personal responsibility. They prefer to make a lone executioner psychologically responsible for carrying out the sentence rather than participate in this covenantal responsibility, as God requires.[12]

Stoning, Yahweh's principal means of execution, mandates not only public exposure, but also public participation. This provides the greatest possible deterrent and, therefore, decreases the number of criminals even more. (See Chapter 17 "Amendment 8: Bail, Fines, & Cruel and Unusual Punishments" for information regarding capital punishment and the Biblical reasons for stoning over other methods of execution.)

Impartial Juries

Amendment 6 attempts to guarantee the impossible – impartial juries. An impartial jury implies a group of people who have no preconceived notions regarding the guilt or innocence of the defendant and who will decide the case based solely upon the evidence provided. Because all humans have biases and are prone to peer pressure and politically correct ideologies, juries are inevitably capricious and their justice is, at best, unpredictable.

…juries are notoriously fickle, and can ignore the law when they decide that a defendant had good reason to do whatever was done, or they can be manipulated by crafty attorneys.[13]

Psychologists retained to guide attorneys in selecting juries exacerbate the improbability of impartiality. Prospective jurors are profiled to help attorneys choose those with predispositions – in other words, jurors who *are* partial. Partiality is much less likely when cases are strictly adjudicated by Biblically qualified judges according to Yahweh's law. (See Chapter 5 "Article 2: Executive Usurpation" for the Biblical qualifications for judges.)

The USInfo.org web page admits that "to eliminate trial by jury because of perceived defects in the system would be to strike a blow against democratic government itself."[14] This should be reason enough to abolish the jury system and set up Yahweh's judicial system in its place. (See Chapter 6"Article 3: Judicial Usurpation" for additional information regarding Yahweh's judicial system as contrasted with the United States Constitutional Republic's unbiblical jury system.)

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. Malcolm M. Feeley, “U.S. Supreme Court: Speedy Trial,” *West's Encyclopedia of American Law*, http://www.answers.com/topic/speedy-trial.

2. Akhil Reed Amar, “Speedy Trial – Bibliography, Cases,” http://law.jrank.org/pages/2137/Speedy-Trial.html.

3. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, “The Third Commandment” may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

4. “More than 40,000 laws have been enacted by state legislatures in the past year [2009] … according to the National Conference of State Legislatures....” Amanda Paulson, “New Laws for 2010: No Texting, Trans Fats or Tanning Beds,” 2 January 2010, ABC News / US, http://abcnews.go.com/US/laws-2010-texting-trans-fats-tanning-beds/story?id=9461177.

5. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

6. As of June 2008, a total of 2,310,984 prisoners were being held in federal, state, and local prisons and jails, an increase of more than a million and half since 1985. This is an average of 509 prisoners per 100,000 United States residents, http://www.ojp.usdoj.gov/bjs/prisons.htm. “With 5% of the world's population, our country now houses nearly 25% of the world's reported prisoners. …a rate nearly five times the average worldwide….,” “Why We Must Fix Our Prisons,” Parade, 29 March 2009, http://www.parade.com/news/2009/03/why-we-must-fix-our-prisons.html?index=1.

7. For a more thorough explanation concerning capital punishment, “Capital Punishment: Deterrent or Catalyst?” may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363 for a suggested $3 donation.*

8. For a more thorough explanation concerning Eighth Commandment restitution, “The Eighth Commandment” may be read online, or the book *Thou shalt not steal* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363 for a suggested $6 donation.*

9. For a more thorough explanation concerning prisons, “Prisons: Shut Them All Down!” may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363 for a suggested $3 donation. *

10. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, “The Third Commandment” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

11. Randolph S. Churchill, *Winston S. Churchill*, 21 vols. (Boston, MA: Houghton-Mifflin, 1966) vol. 1, p. 326.

12. Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: The Institute for Christian Economics, 1990, 1997) pp. 44-45.

13. International Information Programs, USInfo.org, “Trial by Jury,” *Rights of the People*: *Individual Freedom and the Bill of Rights*, http://usinfo.org/enus/government/overview/jury.html.

14. Ibid.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 16
Amendment 7: Common Law vs. Bible Law

> In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

Jury Preservation

> …even with all its problems, the American judicial system both in its ideal theory and sometimes flawed practice offers persons accused of crimes more protection than any other system in the world.[1]

Even if this were true, it would only be so because Yahweh's[2] judicial system is not operating anywhere in the world. Let me reiterate that "the right of a trial by jury" is a constitutional, *not* a Biblical, right. It is, in fact, adversarial to Yahweh's judicial system. (See Chapter 6 "Article 3: Judicial Usurpation," Chapter 14 "Amendment 5: Constitutional vs. Biblical Judicial Protection," and Chapter 15 "Amendment 6: Speedy Trials, Public Trials, and Impartial Juries" for additional information regarding the United States Constitutional Republic's unbiblical jury system as contrasted with Yahweh's judicial system.)

Common Law

Common Law – That which derives its force and authority from the universal consent and immemorial practice of the people. The system of jurisprudence that originates in England and which was latter [*sic*] adopted in the U.S. that is based on precedent instead of statutory laws.

Traditional law of an area or region; also known as case law. The law created by judges when deciding individual disputes or cases. The body of law which includes both the unwritten law of England and the statutes passed before the settlement of the United States.

In Old England there were two types of Courts – law and equity. In the law court the judge applied statutes. As time went on situations that were not covered by statutes were uncovered and Judges "created" law, usually in equity. This is "common law."

The U.S. is a common law country. In all states except Louisiana (which is based on the French civil code), the common law of England was adopted as the general law of the state, EXCEPT when a statute provides otherwise. Common law has no statutory basis; judges establish common law through written opinions that are binding on future decisions of lower courts in the same jurisdiction. Broad areas of law, most notably related to property, contracts and torts are traditionally part of the common law. These areas of law are mostly within the jurisdiction of the states and thus state courts are the primary source of common law. Thus, "common law" is used to fill in gaps. Common law changes over time, and at this time, each state has its own common law on many topics….[3]

Many Constitutionalists claim Christianity is intrinsic to common law. U.S. Supreme Court Justice Joseph Story, one of the fathers of American Jurisprudence, concurred:

> One of the beautiful boasts of our municipal jurisprudence is, that Christianity is part of the common law.... There never has been a period, in which the common law did not recognize Christianity as lying at its foundations....[4]

Thomas Jefferson, however, renounced the idea that Christianity was intrinsic to common law:

> For we know that the common law is that system of law which was introduced by the Saxons on their settlement in England, and altered from time to time by proper legislative authority from that time to the date of Magna Charta.... This settlement took place about the middle of the fifth century. But Christianity was not introduced till the seventh century; the conversion of the first Christian king of the Heptarchy having taken place about the year 598, and that of the last about 686. Here, then, was a space of two hundred years, during which the common law was in existence, and Christianity no part of it.[5]

Dennis Woods elaborates:

> In England, natural law morphed into the "common law" of Henry II after the Norman Conquest of 1066 and bore only accidental resemblance to Biblical law. Henry II was no exemplar of Biblical law. His motivation was to create a law code common to the entire realm based on amalgamation of local custom. This he enforced in person as he or his judicial representatives traveled on horseback to outlying courts....
>
> From that starting point common law became judge-made law based on precedent, not the Bible. Henry sought to impose his own common or customary law over that of the church, which culminated in the bloody conflict with Archbishop of Canterbury, Thomas Beckett.[6]

Unless Christianity was pronomian at the time the United States Constitution was ratified, it matters not if Christianity was part of the common law. The fact is the Christianity of that day was already far removed from Yahweh's law in government, as demonstrated by the complete absence of Biblical citations in the Constitutional Convention notes and the Federalist Papers. With few exceptions, Yahweh's law was abandoned in 1787. Late 18th-century Christianity was but a shell of 17th-century pronomian Puritanism. This was true even in *The People v. Ruggles*, in which Chancellor James Kent, Chief Justice of the Supreme Court of New York, testified to America's Christian roots while at the same time passing an unbiblical sentence:

> The defendant was indicted ... for that he did ... wickedly, maliciously, and blasphemously utter and with a loud mouth publish in the presence and hearing of divers good and Christian people, of and concerning the Christian religion, and of and concerning Jesus Christ, the false, scandalous, malicious, wicked and blasphemous words following: "Jesus Christ was a bastard and his mother must be a whore," in contempt of the Christian religion.... [T]he defendant was tried and found guilty and was sentenced by the court to be imprisoned for three months and to pay a fine of $500.[7]

Enough morality had carried over from 17th-century Christendom that the New York Supreme Court ruled against blasphemy. But the Christianity that remained was not enough to induce the justices to condemn the blasphemer to death, as prescribed by early New England governments and by Yahweh Himself:

The legislators of Connecticut [in the 1650 Fundamental Agreement of the Colony of New Haven] begin with the penal laws, and … they borrow their provisions from the text of Holy Writ. "Whosoever shall worship any other God than the Lord," says the preamble of the Code, "shall surely be put to death." This is followed by ten or twelve enactments of the same kind, copied verbatim from the books of Exodus, Leviticus, and Deuteronomy. Blasphemy, sorcery, adultery, and rape were punished with death….[8]

And he that blasphemeth the name of YHWH,[9] he shall surely be put to death, and all the congregation shall certainly stone him: as well the stranger, as he that is born in the land…. (Leviticus 24:16, KJV)[10]

The death penalty (particularly in the form of stoning) would have been a violation of Amendment 8'sprohibition against "cruel and unusual punishments." Justices Story, Kent, and others may have proclaimed Christianity to be a part of the common law, but, ultimately, the Constitution – not Yahweh's law – reigned supreme with them, as it did and continues to do in any case where the two are antithetical to each other.

In a review of John Whitehead's book *The Second American Revolution*, Dennis Woods points out another significant problem with common law:

In Appendix II, Whitehead upholds the Common Law and the principle of "stare decisis." Under "stare decisis" courts are bound to follow the precedent of previous cases…. The problem with stare decisis in the history of the Common Law is that there is a strong tendency for the precedent to quickly replace the authority of the higher law…. By the time of the American Revolution there were some 200 crimes punishable by the death penalty in Great Britain under Common Law, a radical departure from Biblical law. The law of God is subtly replaced by the law of man.[11]

The "rules of common law," as provided in Amendment 7, include the laws of Yahweh *only* insofar as they are consistent with the Constitution, congressional legislation, and the court's liking. Consequently, it is incumbent upon every true Christian[12] to work toward replacing the common law with Yahweh's law.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. International Information Programs, USInfo.org, "Trial by Jury," *Rights of the People*: *Individual Freedom and the Bill of Rights*, http://usinfo.org/enus/government/overview/jury.html.

2. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God (without resorting to unscriptural extremes), "The Third Commandment" may be read online, or the book Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

3. “The ‘Lectric Law Library’s Lexicon on Common Law,” http://www.lectlaw.com/def/c070.htm.

4. Joseph Story, *The Miscellaneous Writings*: *Literary*, *Critical*, *Juridical*, *and Political of Joseph Story*, *LL.D.* (Boston, MA: James Munroe and Company, 1835) p. 451.

5. Thomas Jefferson, Albert Ellery Burgh, ed., *The Writings of Thomas Jefferson*, 20 vols. (Washington, DC: The Thomas Jefferson Memorial Association, 1905) vol. 8, pp. 90-91, 97.

6. Dennis Oliver Wood, “Shape of America – The Declaration,” http://www.america-betrayed-1787.com/shape-of-america-the-declaration.html.

7. *The People v. Ruggles*, 8 Johns 290 (1811).

8. Alexis de Tocqueville, *Democracy in America*, 2 vols. (New York, NY: The Colonial Press, 1899) vol. 1, pp. 36-37.

9. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God (without resorting to unscriptural extremes), “The Third Commandment” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

10. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

11. Dennis Oliver Woods, “*A Review Of*: *The Second American Revolution*,” http://www.america-betrayed-1787.com/a-review-of-the-second-american-revolution.html.

12. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book Baptism: All You Wanted to Know and More may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 17

Amendment 8: Bail, Fines, and Cruel and Unusual Punishments

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Bail

Bail consists of property, usually money, pledged to the court as surety, or a guarantee, on behalf of a defendant, in order that he might be released from custody with the understanding that he will return for trial.

The Eighth Amendment to the U.S. Constitution requires that bail not be excessive. This means that bail should not be used to raise money for the government or to punish a person for being suspected of committing a crime. Remember: The purpose of bail is to allow the arrested person to remain free until convicted of a crime, and the amount of bail must be no more than is reasonably necessary to keep the suspect from fleeing before a case is over.[1]

Because posting bail cannot guarantee the defendant will not default on his promise to appear in court (commonly known as jumping bail), this constitutional allowance puts many criminals back on the streets. Even the defendants who do return to face charges often continue in their criminal activity while released on bail:

> …only a very small percentage of criminals are ever convicted and sent to prison.… One case was cited of a man who was arrested for armed robbery and released on bond [bail]. During the next four months, while free on bond, he was arrested five times on various charges ranging from petty larceny to car theft. Finally he pleaded guilty to attempted petty theft and was again released to await sentencing.[2]

Amendment 8 bans excessive bail without defining what is excessive. Except for states in which bail schedules are preassigned, the definition of excessive is left to the arbitrary decisions of each judge. Congress passed the Judiciary Act of 1789 that specified which crimes bail could be applied to:

> …upon all arrests in criminal cases, bail shall be admitted, except where the punishment may be death, in which cases it shall not be admitted but by the supreme or a circuit court, or by a justice of the supreme court, or a judge of a district court, who shall exercise their discretion therein, regarding the nature and circumstances of the offence, and of the evidence, and the usages of law.[3]

In 1966 and 1984, bail reform acts were passed:

In 1966, Congress enacted the Bail Reform Act of 1966 which states that a non-capital defendant is to be released, pending trial, on his personal recognizance or on personal bond, unless the judicial officer determines that such incentives will not adequately assure his appearance at trial. In that case, the judge must select an alternative from a list of conditions, such as restrictions on travel. Individuals charged with a capital crime, or who have been convicted and are awaiting sentencing or appeal, are to be released unless the judicial officer has reason to believe that no conditions will reasonably assure that the person will not flee or pose a danger. In non-capital cases, the Act does not permit a judge to consider a suspect's danger to the community, only in capital cases or after conviction is the judge authorized to do so.

> The 1966 Act was particularly criticized within the District of Columbia, where all crimes formerly fell under Federal bail law. In a number of instances, persons accused of violent crimes committed additional crimes when released on their personal recognizance. These individuals were often released yet again….
>
> In 1984 Congress replaced the Bail Reform Act of 1966 with new bail law…. The main innovation of the new law is that it allows pre-trial detention of individuals based upon their danger to the community; under prior law and traditional bail statutes in the U.S., pre-trial detention was to be based solely upon the risk of flight.
>
> 18 USC 3142(f) provides that only persons who fit into certain categories are subject to detention without bail: persons charged with a crime of violence, an offense for which the maximum sentence is life imprisonment or death, certain drug offenses for which the maximum offense is greater than 10 years, repeat felony offenders, or if the defendant poses a serious risk of flight, obstruction of justice, or witness tampering. There is a special hearing held to determine whether the defendant fits within these categories; anyone not within them must be admitted to bail.[4]

The contradiction between the Sixth Amendment's provision for speedy trials and the Eighth Amendment's provision for bail when a speedy trial is unlikely is another inherent flaw in the United States Constitution. When government is based upon Yahweh's[5] law, trials and punishment are meted out swiftly, if not immediately, and bail (like prison) is superfluous.

The only downside to Yahweh's no-bail system is that innocent men will occasionally incur *short-term* incarcerations while awaiting trial. Better a few innocent men suffer temporary incarceration than many victims suffer at the hand of criminals freed on bail.

The Bible warns against becoming surety for another person, which rules out providing bail for others:

He that is surety for a stranger shall smart for it: and he that hateth suretiship is sure [safe, NASB]. (Proverbs 11:15)[6]

> A man void of understanding striketh hands, and becometh surety in the presence of his friend. (Proverbs 17:18)

Becoming surety demands that a person guarantee the future of another person, a presumption the Bible identifies as arrogance:

Boast not thyself of to morrow; for thou knowest not what a day may bring forth. (Proverbs 27:1)

Providing bail is worse because it vainly attempts to guarantee another man's integrity.

Fines

The Eighth Amendment prohibits excessive fines, again, without defining what is excessive. Non-excessive fines sound like a good idea, except they are unbiblical, particularly when paid to the State:

Fines, which are paid *to* the state for law violations, are pagan forms of revenue collecting and punishment. They are not Biblical. They are not because they pervert judgment and stem from a pagan view of man. They pervert judgment because the state will put more effort into the enforcement of those laws that bring the greatest amount of revenues to the state coffers than those that do not.[7]

Leviticus 5 and Numbers 5 provide the only Biblical examples similar to State fines:

If a soul commit a trespass, and sin through ignorance, in the holy things [tithes, offerings, etc.; 2 Chronicles 31:6] of YHWH;[8] then he shall bring for his trespass unto YHWH a ram without blemish out of the flocks, with thy estimation by shekels of silver, after the shekel of the sanctuary, for a trespass offering: And he shall make amends for the harm that he hath done in the holy thing, and shall add the fifth part thereto, and give it unto the priest…. (Leviticus 5:15-16)

> …When a man or woman shall commit any sin that men commit, to do a trespass against YHWH, and that person be guilty; then they shall confess their sin which they have done: and he shall recompense his trespass with the principal thereof, and add unto it the fifth part thereof, and give it unto him against whom he hath trespassed. But if the man have no kinsman to recompense the trespass unto, let the trespass be recompensed unto YHWH, even to the priest…. (Numbers 5:5-8)

In both instances – in Leviticus 5, in which a twenty percent additional penalty is levied, and in Numbers 5, in which restitution is required when there are no victims or relatives alive to receive restitution – the "fines" are to be paid to the priests (or, under the New Covenant, to full-time kingdom laborers). Except for those two instances, additional fines or penalties always go to the victim or the victim's relatives. Biblical "fines" paid to the victims of non-capital crimes (a practice rarely witnessed in American jurisprudence), are of an amount many constitutional judges would consider excessive, particularly with the indentured servitude proviso for anyone unable to pay restitution and additional penalties. Yahweh's law requires two to five times restitution on things stolen, depending upon the nature of the crime:

If a man shall steal an ox, or a sheep, and kill it, or sell it; he shall restore five oxen for an ox, and four sheep for a sheep. (Exodus 22:1)

An ox's lower rate of reproduction was probably one reason oxen were more highly valued. Also, it takes longer to bring oxen to maturity than it does sheep, and sheep do not require training. Both sheep and oxen were eaten and used for clothing, but only oxen were used to till the land and pull carts. Oxen were the tractors in Moses' day. Given a choice between losing a sheep or a tractor, a prudent husbandman would choose the former. Steal a man's sheep and he would lose a hide and some meat. Steal a man's ox – his means of livelihood – and his family's survival could be jeopardized. Theft of a man's sheep represents only an immediate loss. Theft of a man's ox represents a future loss as well.

Exodus 22:1 is case law that provides precedent against much more than just the theft of livestock. For example, if a thief steals a tractor from a farmer, he should be required to pay the equivalent of five tractors, whereas a car thief should pay the equivalent of four cars. This is true because the tractor is a farmer's means of livelihood, while the car is only a means of transportation. If, instead, the victim were a traveling salesman, who owns and uses a tractor only for property maintenance, the judgment would be transposed. Purpose, not price, determines an object's worth and the rate of restitution. Yahweh's standard penalty rates eliminate arbitrary decisions common among judges and juries alike. They also eliminate both excessive and deficient judgments.

Recovered Property and Indentured Servitude

If the theft be certainly found in his hand alive, whether it be ox, or ass, or sheep; he shall restore double. (Exodus 22:4)

In cases in which the thief is apprehended with the stolen item still in his possession, the stolen item is restored to the owner and he is further compensated with the current value of what was stolen. This additional remuneration covers any loss or inconvenience incurred while the stolen item is not in the owner's possession. Of equal importance, it punishes the thief and deters him from further criminal activity.

A man apprehended with the stolen item in his possession might be someone who stole out of necessity, in contrast to a career thief who steals for profit. Solomon addressed the former type of thief:

Men do not despise a thief, if he steal to satisfy his soul when he is hungry; but if he be found, he shall restore sevenfold; he shall give all the substance of his house. (Proverbs 6:30-31)

Because Yahweh's law makes no mention of a sevenfold reparation, this should not be taken literally. The number seven in the Bible is often used to signify perfection, completion, and fullness. A thief of necessity, although he may be pitied, must still pay what the law requires, even if it results in bankruptcy and indentureship:

…if he have nothing [with which to pay the required restitution], then he shall be sold for his theft. (Exodus 22:3)

A thief is indentured until he has paid the required two-, four-, or five-fold restitution to either his victim or to the purchaser of his indentured service. In some high-dollar cases, such as in the Bernie Madoff[9] scam, thieves would not be sent to prison to be housed, fed, and entertained at taxpayer's expense. Instead, they would be consigned to perpetual servitude. Any proceeds from that servitude would be divided among their victims. Restitution and indentureship would eliminate any need for prisons, and the deterrent effect would considerably reduce theft in society.

Under Yahweh's law, the person at fault is responsible for damages – not an insurance company. Insurance companies contribute to irresponsibility and lawlessness by sheltering people from paying for the full consequences of their actions:

The failure of a society to ground itself on restitution, or its departure from this principle, means a growing necessity for costly protection by means of insurance. Much insurance is, all too often, a form of self-restitution, in that the buyer pays for protection against irresponsible people who will not make restitution. The large insurance premiums paid by responsible persons and corporations are their self-protection against the failure of the law to require restitution.[10]

What should be done with a thief who refuses to pay restitution? As contempt of court, or more properly, contempt of Yahweh and His law, such a refusal would be a capital crime:

> And thou shalt come unto … the judge that shall be in those days, and inquire; and they shall shew thee the sentence of judgment: And thou shalt … observe to do according to all that they inform thee: …thou shalt not decline from the sentence which they shall shew thee, to the right hand, nor to the left. And the man that will do presumptuously, and will not hearken unto … the judge, even that man shall die: and thou shalt put away the evil from Israel. And all the people shall hear, and fear, and do no more presumptuously. (Deuteronomy 17:9-13)

When given the choice to pay restitution, be indentured, or die, a thief will choose to pay restitution or be indentured, and it is unlikely he will ever steal again.

Under Yahweh's law, only the victim is compensated; the "State" does not receive any remuneration whatsoever, except for present-day instances of Leviticus 5:15-16 and Numbers 5:5-8. Under America's constitutional form of government, the victim often receives little or no compensation and is further victimized by the very system that is supposed to protect him. The State slaps the thief's hand and collects its fines. If the offender repeats his crime, the State may sentence him to prison, which is funded by the victim's tax dollars:

> "The guilty man lodged, fed, clothed, warmed, lighted, entertained, at the expense of the State in a model cell, issued from it with a sum of money lawfully earned, has paid his debt to society; he can set his victims at defiance; but the victim has his consolation; he can think that by taxes he pays to the Treasury, he has contributed towards the paternal care, which has guarded the criminal during his stay in prison." These were the bitter and sarcastic words of Prins, the Belgian, at the Paris Prison Congress in 1895, when during a discussion of the problem of restitution to victims of crime, he could no longer contain his indignation at various practical and theoretical difficulties raised against his proposals on behalf of the victim.[11]

The offended party is preyed upon first by a low-class thief and then by a high-class thief.

> Under modern law, fines are almost invariably paid to the city, county or federal government. If the victim wants any remedy he must sue for damages in a civil court. However, as everyone knows, by the time a criminal has paid his fines to the court, he is usually depleted of funds or consigned to prison where he is earning nothing and therefore could not pay damages even if his victim went to the expense of filing a suit and getting a judgment. As a result, modern justice penalizes the offender, but does virtually nothing for the victim.[12]

The United States Constitutional Republic's *criminal* justice system penalizes the victim and other innocent people by taxing them to pay for the imprisonment of convicted thieves.

> Fines paid to the city, county, or state, or a prison term for the criminal, does nothing for the victim and very little for the offender. Neither do those sentences often fit the crime. Actually a term in prison, or in jail, cannot even be considered punishment. It is rather a REWARD to the criminal for his crime. He is relieved of the responsibility of providing his own shelter, clothing, food, and medical care. He is given total economic security at the expense of the law-abiding citizens, including his victims.[13]

When Yahweh's judgments are enforced, the tax-subsidized prison system becomes superfluous. A portion of today's prison population who were unjustifiably convicted of non-

Biblical crimes created by the State would be set free. Capital criminals would be executed.[14] Thieves would be released to either pay restitution to their victims or work off their debt in indentured servitude.[15] (See Chapter 22 "Amendment 13: Constitutional vs. Biblical Slavery" for additional information regarding indentureship versus incarceration.) The argument that all prisoners incarcerated by the Constitutional Republic would have to be released (based upon the idea that people cannot be prosecuted *ex post facto*) does not stand up because Yahweh's law is eternal and has always been in effect.

Corpus Dilecti

Yahweh's law does not allow the State to levy additional fines or penalties, as is done, for example, in most motor vehicle accidents. Unlike man's edicts against speeding, carrying a concealed weapon without a permit, possessing firearms made illegal by the State, and innumerable other victimless "crimes," no one is liable under Yahweh's law unless he has caused damage or injury to someone else.

When early American law more closely resembled Yahweh's law, they required a crime be committed, which in turn required a damaged party. This law, known as *corpus dilecti*, is perverted in countless present-day cases in which the State declares itself the damaged party and incarcerates or imposes fines upon people who have not caused damage or injury to anyone.

Cruel and Unusual Punishments

Amendment 8's prohibition against cruel and unusual punishments implies the Constitutional Republic's punishments must be kind and usual. The Constitution's failure to define "cruel and unusual" allows unbiblical and antinomian courts to arbitrarily determine what is allowable.

Capital Punishment

According to the Bible, capital punishment for capital crimes is justifiable.[16] Former Florida Attorney General Robert L. Shevin succinctly presented the case for capital punishment:

> The human capacity for good and for compassion makes the death penalty tragic; the human capacity for evil and depraved behavior makes the death penalty necessary.[17]

The constitutional framers disagreed upon what comprised cruel and unusual punishment. Some of them believed capital punishment itself was cruel and unusual:

> There were some significant voices at the time in favor of abolishing capital punishment. Some argued that the success of the new republic should depend upon the virtue of its citizens and not on their fear of a harsh penal code, which many saw as the hallmark of tyranny. Benjamin Rush, one of the signers of the Declaration of Independence, declared that "capital punishments are the natural offspring of monarchical governments." Even a conservative like Alexander Hamilton believed that "the idea of cruelty inspires disgust," and that the death penalty undermined republican values and behavior.[18]

The virtue of capital punishment was settled by Yahweh in His law long ago, but the debate over the death penalty rages on, thanks, in part, to the ambiguity of Amendment 8's wording:

> In a totally unexpected opinion in June 1972, a closely divided Supreme Court vacated the death sentences of approximately 600 inmates in prisons across the country. In *Furman v. Georgia*, the majority held that imposition of the *then existing* capital punishment schemes

violated the ban on cruel and unusual punishment. ...[The Court ruled] that the legal methods by which it was applied were irrational and arbitrary and as such, violated the Eighth Amendment.[19]

As of 2012, fifteen states have repealed the death penalty. The Supreme Court's capriciousness regarding "cruel and unusual punishments" is witnessed by its varied and often contradictory decisions. Consider the following sampling:

- Wilkerson v. Utah, 99 U.S. 130 (1878): Death by firing squad was ruled not to be cruel and unusual punishment under the Eighth Amendment. Other methods of torture such as "drawing and quartering, embowlling [*sic*] alive, beheading, public dissection, and burying alive" were forbidden.
- *Weems v. U.S.*, 217 U.S. 349 (1910): The Court held that cruel and unusual punishment should not be confined to the "forms of evil" that the framers of the Bill of Rights had witnessed, rendering "cruel and unusual" subject to changing interpretations.
- *Louisiana ex rel. Francis v. Resweber*, 329 U.S. 459 (1947): The Court ruled that "the cruelty against which the Constitution protects a convicted man is cruelty inherent in the method of punishment, not the necessary suffering involved in any method employed to extinguish life humanely."
- *Coker v. Georgia*, 433 U.S. 584 (1977): The death penalty was ruled unconstitutionally excessive for the rape of a woman and, by implication, for any crime where a death does not occur.
- *Rummel v. Estelle*, 445 U.S. 263 (1980): The life sentence was upheld, with the possibility of parole for fraud crimes totaling $230.
- *Harmelin v. Michigan*, 501 U.S. 957 (1991): A life sentence was upheld, without the possibility of parole, for possession of 672 grams of cocaine.
- *Lockyer v. Andrade*, 538 U.S. 63 (2003): A fifty-years-to-life sentence was upheld, with the possibility of parole imposed under California's three-strikes law, when the defendant was convicted of shoplifting videotapes worth a total of about $150.
- *Kennedy v. Louisiana*, 554 U.S. (2008): The ruling of *Coker v. Georgia* (that the death penalty was unconstitutionally excessive for rape of a woman) was extended to include the rape of a child.

These are but a few examples of a government of, by, and for a fickle people and adjudicated by a mercurial court system.

…public perceptions of standards of decency with respect to criminal sanctions are not conclusive. A penalty must also accord with "the dignity of man," which is the basic concept underlying the Eighth Amendment....

Gregg v. Georgia (1976)[20]

We have nothing to guide us in defining what is cruel and unusual apart from our own consciences. A punishment which is considered fair today may be considered cruel tomorrow. And so we are not dealing with a set of absolutes. Our decision must necessarily spring from the mosaic of our beliefs, our backgrounds and the degree of our faith in the dignity of the human personality.

Supreme Court Justice Frank Murphey[21]

What we find described above is government ruled by the prevailing humanism of the day. Friedrich W. Nietzsche (1844-1900) said, " [the criminal's] punishment … is meted out in accordance with precisely the degree of astonishment the latter [judges] feel when they regard the incomprehensible nature of his deed."[22] In *Trop v. Dulles*, Supreme Court Chief Justice Earl Warren wrote, "The [Eighth] Amendment must draw its meaning from the evolving standards of decency that mark the progress of a maturing society."[23] Because man's standards – including the Constitution – are "not conclusive," they lead to confusion and contradiction. Yahweh's standards are the polar opposite of man's: they are unchanging, authoritative, trustworthy, and, above all, just.

Underage, Mentally Disabled, and Insane

In *Roper v. Simmons* (2005), the Supreme Court ruled that the death penalty for anyone under the age of eighteen violated the Eighth Amendment's ban on "cruel and unusual punishments," and in *Atkins v. Virginia* (2002), the Court held that it would be cruel and unusual to execute anyone mentally disabled. As a result, insanity pleas have become an all too common means for criminals to elude capital punishment.

Murderers

Unlike current constitutional law, Yahweh's law allows no exceptions for the prescribed punishment of convicted murderers. Leviticus 24:17 dictates the judgment for intentional, premeditated murder is death. Human life is so valuable to Yahweh that any man (or animal) that maliciously takes another person's life is to be put to death. Death penalty opponents find this incongruous. They believe life is so valuable it must be protected at all costs. However, the anti-capital punishment advocates are the ones who cheapen life. For example, if a murderer is given twenty years in prison instead of being put to death, the life of the victim has been assigned a value of only twenty years. The life of a murderer is certainly not more valuable than the life of the person he murdered. Put another way, the life of the person murdered is *so* valuable it requires the life of the murderer:

> …surely your blood of your lives will I require; at the hand of every beast will I require it, and at the hand of man; at the hand of every man's brother will I require the life of man. Whoso sheddeth man's blood, by man shall his blood be shed: for in the image of God made he man. (Genesis 9:5-6)

Premeditated murder is the one crime for which Yahweh offers no clemency:

> …ye shall take no satisfaction [restitution] for the life of a murderer, which is guilty of death: but he shall be surely put to death. And ye shall take no satisfaction for him [the convicted murderer]…. So ye shall not pollute the land wherein ye are: for blood it defileth the land: and the land cannot be cleansed of the blood that is shed therein, but by the blood of him that shed it. (Numbers 35:31-33)

Yahweh's law allows monetary compensation for cases other than first-degree murder. However, this is at the discretion of the blood avenger:

> If an ox gore a man or a woman, that they die: then the ox shall be surely stoned, and his flesh shall not be eaten; but the owner of the ox shall be quit [go unpunished, NASB]. But if the ox were wont to push with his horn in time past [in the habit of goring, NASB], and it hath been testified to his owner, and he hath not kept him in, but that he hath killed a man or a woman; the ox shall be stoned, and his owner also shall be put to death. If there be laid on him a sum

> of money, then he shall give for the ransom of his life whatsoever is laid upon him.... (Exodus 21:28-30)

Biblical instruction and the opportunity for repentance should always precede execution. Execution sermons were common during the Colonial period for this very purpose and as a means of warning the attending community against similar crimes. The Apostle Paul wrote about people who had committed capital felonies and had gone on to become a part of the Christian community:

> Know ye not that the unrighteous shall not inherit the kingdom of God? Be not deceived: neither fornicators, nor idolaters, nor adulterers, nor effeminate, nor abusers of themselves with mankind [sodomites], nor thieves, nor covetous, nor drunkards, nor revilers, nor extortioners, shall inherit the kingdom of God. And such were some of you: but ye are washed, but ye are sanctified, but ye are justified in the name of the Lord Jesus and by the Spirit of our God. (1 Corinthians 6:9-11)

Judges, victims, and the victims' next-of-kin may consider repentance and conversion as extenuating factors when determining whether criminals should be put to death for capital crimes – *except* in cases of murder. Yahweh's law demands murderers must be executed:

> …if a man come presumptuously upon his neighbour, to slay him with guile; thou shalt take him from mine altar, that he may die. (Exodus 21:14)

In 1 Kings 1:50-53, King Solomon spared Adonijah's life for his crime of conspiracy when Adonijah took hold of the horns of the altar in the tabernacle. But when the murderer Joab took the same desperate measure in 1 Kings 2:28-34, Solomon refused to spare his life. This no-clemency clause of the Sixth Commandment, which is attached only to the judgment for murderers, demonstrates how grievous murder is to Yahweh.

Stoning

Instead of making His punishments as humane as possible, Yahweh *chose* cruel and unusual forms of punishments. Stoning, His principal means of carrying out public executions,[24] certainly does not meet Supreme Court Justice William Brennan's criteria (Numbers 1 and 3) in *Furman v.* Georgia (1972):

> There are, then, four principles by which we may determine whether a particular punishment is "cruel and unusual." [1] ...a punishment must not, by its severity, be degrading to human dignity.... [2] It is unlikely that this Court will confront a severe punishment that is obviously inflicted in wholly arbitrary fashion; no State would engage in a reign of blind terror. [3] Nor is it likely that this Court will be called upon to review a severe punishment that is clearly and totally rejected throughout society; no legislature would be able even to authorize the infliction of such a punishment. [4] Nor, finally, is it likely that this Court will have to consider a severe punishment that is patently unnecessary; no State today would inflict a severe punishment knowing that there was no reason whatever for doing so. In short, we are unlikely to have occasion to determine that a punishment is fatally offensive under any one principle.[25]

If we believe Yahweh is unquestionably just, we must embrace His means of punishment and renounce the Eighth Amendment as rebellion against Him. Because He is a loving and merciful God, who desires no one to perish and everyone to come to repentance, His judgments are not only just but also remedial and preventative:

And thou shalt stone him [a promoter of false gods] with stones, that he die; because he hath sought to thrust thee away from YHWH thy God.... And all Israel shall hear, and fear, and shall do no more any such wickedness as this is among you. (Deuteronomy 13:10-11)[26]

People who identify themselves as “New Testament Christians”[27] play right into the hands of the anti-capital punishment establishment. Such Christians make a distinction between the “God of the Old Testament” and the “God of the New Testament.” They believe the God of the Old Testament was cruel, vengeful, and unsympathetic, whereas the God of the New Testament is loving, merciful, and gracious. Are there two Gods in the Bible?

…I am YHWH I change not.... (Malachi 3:6)

> …the Father ... with whom is no variableness, neither shadow of turning. (James 1:17)

Consider also the following Old Testament descriptions of Yahweh:

…YHWH God, merciful and gracious, longsuffering, and abundant in goodness and truth. (Exodus 34:6)

> O give thanks unto YHWH; for he is good; for his mercy endureth for ever. (1 Chronicles 16:34)
>
> …thou art a God ready to pardon, gracious and merciful, slow to anger, and of great kindness.... (Nehemiah 9:17)
>
> Have I any pleasure at all that the wicked should die? saith the Lord YHWH: and not that he should return from his ways, and live?... For I have no pleasure in the death of him that dieth, saith the Lord YHWH: wherefore turn yourselves, and live ye. (Ezekiel 18:23, 32)

Whether viewed from the Old or the New Testament perspective, Yahweh is a God of love, grace, and mercy. Capital punishment conceived by a loving and merciful God cannot be barbaric. Yahweh instituted stoning as a deterrent to criminal behavior:

The death penalty ... provides a deterrence effect – deterring the criminal from future crime (he dies), deterring other criminals from committing similar crimes (fear of death), and deterring God from bringing His covenant judgments on the community for its failure to uphold covenant law (fear of God’s wrath).[28]

Consider the following compelling statistics:

Of all the men currently in prison ... how many of these men had been tried and convicted of murder, had been released, and then had killed again? The number ran to more than eight hundred.... Five of these killers had not been released, but had killed prison guards. Whatever our academic arguments about deterrence and the death penalty, here is something we have to deal with. There are eight hundred citizens and five prison guards who would still be alive today if these killers had been quickly dispatched.[29]

Some people reject capital punishment as vengeful. It is, indeed, vengeful. But instead of personal vengeance, it is vengeance at the hands of Yahweh by way of His judicial protocol. As such, capital punishment helps contain vigilantism and generational feuds. The Supreme Court's first Chief Justice John Jay concurred:

> Retaliation is also manifest in the punishment prescribed for murder – life for life. Legal punishments are adjusted and inflicted by the law and magistrate, and not by unauthorized individuals.... It certainly was not the design of the law or ordinance in question, to encourage a spirit of personal or private revenge.[30]

People who quote Romans 12:19 as a proof text against capital punishment need to read further:

> Dearly beloved, avenge not yourselves, but rather give place unto wrath: for it is written, Vengeance is mine; I will repay, saith the Lord. Therefore if thine enemy hunger, feed him; if he thirst, give him drink: for in so doing thou shalt heap coals of fire on his head. Be not overcome of evil, but overcome evil with good. Let every soul be subject unto the higher powers. For there is no power but of God: the powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation. For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same: For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil. (Romans 12:19-13:4)

The injunction against personal vengeance does not eliminate capital punishment. Rather, capital punishment eliminates personal vengeance:

> The New Testament commands us to love of our enemies (Matthew 5:44), to not take "an eye for an eye and a tooth for a tooth" (Mt. 5:38) and to not avenge ourselves since vengeance belongs to the Lord (Rom. 12:19). ...if we were to apply such passages and reasoning to the state, it would rule out ... any other penalties too.... The truth of the matter is that these Scriptures were given to prevent private citizens from taking vengeance into their own hands.[31]

The vengeance of Yahweh is something in which to rejoice:

> The righteous shall rejoice when he seeth the vengeance: he shall wash his feet in the blood of the wicked. So that a man shall say, Verily there is a reward for the righteous: verily he is a God that judgeth in the earth. (Psalm 58:10-11)

This is *not* an endorsement for unscriptural vigilantism; Biblical judicial protocol must be followed.[32]

Additional Reasons for Stoning

Opponents of the death penalty believe any form of capital punishment is inhumane, and even the champions of capital punishment are always seeking a more humane means of execution. They claim to be motivated by mercy and compassion. Mercy and compassion for whom? Certainly not for the victims, the victims' next of kin, society, or latent criminals. Who does this leave except the convicted criminals? Unrepentant murderers, rapists, and other capital felons do not deserve our compassion and mercy. To show mercy to such criminals implies we believe we are more virtuous than Yahweh. Although death penalty opponents see themselves as merciful and kind, in truth they are cruel to everyone *but* the criminal. In Proverbs 12:10, Solomon wrote, "the tender mercies of the wicked are cruel."

Christians today are afraid of the laws of the Bible. They are actually embarrassed by them. They do not recognize that biblical law is a two-edged sword of God's judgment: blessing for the righteous, but cursing for the unrighteous (Romans 13:1-7). They do not understand that God's law-order for society is merciful. For example, God requires the death penalty for kidnappers (Ex. 21:16). The death penalty used to be imposed on kidnappers in the United States, and kidnapping was rare. It is no longer imposed regularly, and kidnapping has become a blight. Kidnapping by terrorists in Europe is commonplace. Who says that God's law regarding kidnapping is too harsh? Harsher than kidnapping itself? So it is with all of God's civil laws [and their judgments]. They are merciful compared with the effects of unpunished evil. The modern world is learning just how unmerciful a society can be that is not governed by biblical law.[33]

Some people's "sense of decency" pits them against Yahweh's righteous judgments. Anyone who prefers to show mercy to a convicted criminal, rather than assuring greater public safety, is only concerned about protecting his own sensibilities and making himself feel good. The purpose of capital punishment is to remove the criminal from society and cleanse the community of evil, which, in turn, provides for peace and security and a well-ordered society. Fewer criminals and fewer victims are the obvious benefits of such a policy.

In order for the death penalty to be the greatest possible deterrent, Yahweh chose a brutal form of execution. The harsher the punishment, the greater the deterrent. People are less likely to write checks against insufficient funds when they are penalized thirty dollars rather than thirty cents. Likewise, people are less likely to commit felonies when the maximum penalty is mandatory for unrepentant criminals. This is especially true if it is compulsory for the whole community to attend and participate in public executions:

And YHWH spake unto Moses, saying, Bring forth him that hath cursed without the camp; and let all that heard him lay their hands upon his head, and let all the congregation [community] stone him.... And he that blasphemeth the name of YHWH, he shall surely be put to death, and all the congregation shall certainly stone him: as well the stranger, as he that is born in the land.... (Leviticus 24:13-16)

Stoning is one of the few methods of capital punishment that allows direct involvement by the witnesses and others. Witnesses must be so certain of their testimony that they, along with the blood avengers, are prepared to initiate judgment. Yahweh did not prescribe lynchings,[34] decapitations, gassings, electrocutions, or lethal injections because they do not allow for the blood avenger, or next of kin, the witnesses, and others in the community to be involved:

But if any man hate his neighbour, and lie in wait for him, and rise up against him, and smite him mortally that he die, and fleeth into one of these cities [of refuge]: Then the elders of his city shall send and fetch him thence, and deliver him into the hand of the avenger of blood, that he may die. (Deuteronomy 19:11-12)

> At the mouth of two witnesses, or three witnesses, shall he that is worthy of death be put to death; but at the mouth of one witness he shall not be put to death. The hands of the witnesses shall be first upon him to put him to death, and afterward

> the hands of all the people. So thou shalt put the evil away from among you. (Deuteronomy 17:6-7)

This mandatory provision for direct participation by the witnesses assures more certain testimony. Exodus 19:13 also allows the criminal to be shot. This is probably because firing squads (whether using bows or rifles) also allow witnesses and others to participate. Firing squads could be used as a substitute when stones are unavailable. In non-capital cases, flogging can be prescribed as punishment (Deuteronomy 25:1-3), which also provides a means for the witnesses to be involved in meting out judgment.

It is sometimes argued that Yahweh ordained stoning because poison gas, lethal injection, and electrocution were not available. However, lynching, decapitation, or spearing, which would all have been swifter and more merciful than stoning, could have been prescribed by Yahweh at that time but were not. Yahweh desired capital punishment to have the greatest possible impact upon society. This can only be accomplished when the whole community is involved in the execution, which is achieved with stoning or a firing squad.

Stoning offers an additional enduring deterrent effect:

And Joshua, and all Israel with him, took Achan … and all that he had: and they brought them unto the valley of Achor…. And all Israel stoned him with stones, and burned them with fire, after they had stoned them with stones. And they raised over him a great heap of stones unto this day…. (Joshua 7:24-26)

These heaps of stones testify to succeeding generations of the futility of a wicked lifestyle. When a young person asked his father, “What is this pile of stones?,” the father would have the opportunity to caution his child against the lifestyle and consequence of the executed criminal.

The following list delineates the crimes for which an offender is to be stoned:

- First Commandment Violations[35]
- Other Gods Before Yahweh: Exodus 22:20; Deuteronomy 13:1-10; 17:2-5; 18:20; Luke 19:27; Romans 1:30-32
- Witchcraft: Exodus 22:18; Leviticus 20:27
- Perjury: Deuteronomy 19:16-21; 1 Timothy 1:10
- Contempt of Court[36]: Deuteronomy 17:5, 9-13
- Second Commandment Violations
- Idolatry: Exodus 22:20; Deuteronomy 13:1-10; Romans 1:30-32
- Perjury: Deuteronomy 19:16-21; 1 Timothy 1:10
- Third Commandment Violations
- Blasphemy: Leviticus 24:10-16, 23; John 10:30-33; 1 Timothy 1:9
- Perjury: Deuteronomy 19:16-21; 1 Timothy 1:10
- Fourth Commandment Violations
- Sabbath Desecration: Exodus 31:14-15; 35:2; Numbers 15:32-36
- Perjury: Deuteronomy 19:16-21; 1 Timothy 1:10
- Fifth Commandment Violations
- Extreme Cases of Child Rebellion[37]: Exodus 21:15, 17; Leviticus 20:9; Deuteronomy 21:18-23; Matthew 15:4; Romans 1:30-32
- Perjury: Deuteronomy 19:16-21; 1 Timothy 1:10

- Sixth Commandment Violations
- Murder: Genesis 9:5-6; Exodus 21:12, 14, 22-25, 28-31; Leviticus 20:2; 24:17, 21; Numbers 35:16-21, 30-31, 33-34; Deuteronomy 19:11-13, 21; Romans 1:29-32
- Kidnapping[38]: Exodus 21:16; Deuteronomy 24:7; 1 Timothy 1:10
- Perjury: Deuteronomy 19:16-21; 1 Timothy 1:10
- Seventh Commandment Violations
- Adultery: Deuteronomy 22:22-24; John 8:3-5; 1 Timothy 1:10
- Infidelity: Leviticus 20:10
- Prostitution: Leviticus 21:9
- Bestiality: Exodus 22:19; Leviticus 20:15-16
- Incest: Leviticus 20:11-12
- Homosexuality: Leviticus 20:13; Romans 1:26-32; 1 Timothy 1:10
- Misrepresentation of virginity: Deuteronomy 22:13-21
- Rape[39]: Deuteronomy 22:25-27
- Perjury: Deuteronomy 19:16-21; 1 Timothy 1:10

Lex Talionis

The Eighth Amendment not only eliminates stoning but also the Biblical judgment known as *lex talionis*:

> And if any mischief follow, then thou shalt give life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, burning for burning, wound for wound, stripe for stripe. (Exodus 21:23-25)

Lex talionis, or the law of retribution, is extremely important in its deterrent effect on crime. Not surprisingly, Judaism (Talmudism[40]) all but negates the powerful deterrent effect of *lex talionis*. Instead of applying this judgment literally, the Talmud assigns a monetary value for one's eye, tooth, arm, leg, or other body parts:

> The Rabbis, conforming to established Pharisaic tradition, interpreted the Biblical law in such a manner as to permit a money payment as damages in every case where the Biblical law, literally applied, would have required some form of bodily mutilation comparable to that originally inflicted by the offending person (*B.K.* [*Baba Kamma*, Talmud] 83b-86a). ...[T]he so-called Biblical "law of retaliation" is not a law at all, but is rather merely a statement ... that like should be compensated for by like. ...[T]he literal application of the principle had been almost completely outgrown quite early in the evolution of Biblical legislation.[41] In its place the practice developed of describing a fine to be paid by the offender to the injured party.... And before the beginning of the rabbinic period, a few centuries later, the principle, despite its specific Biblical sanction, was regularly and legally evaded. Certainly it was altogether out of accord with the spirit of Judaism.

The Universal Jewish Encyclopedia[42]

Many pronomian teachers have, regrettably, substituted Talmudic law for Yahweh's law:

> …the principle of *lex talionis* [does not] involve maiming or mutilation. It does not mean that if Jones cuts off Smith's hand, Smith is entitled to cut off Jones' hand.... Rather, it means Jones must pay restitution to Smith for the *value* of his lost hand – in medical expenses, lost wages, pain and suffering, etc.[43]

These interpretations sound emotionally similar to the arguments made by people embarrassed by Yahweh's mandates for capital punishment. *Lex talionis* is not merely a principle. We find several Biblical reasons why *lex talionis* must be taken literally. Because Numbers 35:31-33 mandates no monetary restitution be accepted for the life of a murderer, we know the statement "life for life" in Exodus 21:23 (and its immediate context) is literal. Verses 26 and 27 provide exceptions, not to monetary amounts, but to the literal punishments of verses 24 and 25. Deuteronomy 25:11-12, which requires a woman's hand to be amputated for maliciously seizing a man's genitals, must be taken literally. Otherwise, Yahweh would have simply assigned a monetary recompense and He would have never mentioned amputation. Not only is a monetary recompense *not* assigned here or in Exodus 21:24-25, but there is also no amount affixed anywhere by Yahweh regarding the worth of an eye, a tooth, an arm, or other body parts. How can we determine an appropriate compensation for such losses unless Yahweh assigns the value? Furthermore, Yahweh never specifies the judgment if someone cannot afford the fine. Additional problems exist when *lex talionis* is not interpreted literally:

…does the law so interpreted [monetarily] lead to class antagonism? What if the criminal is poor? He cannot pay what a rich man can afford to pay. Is it fair to allow a rich man to forfeit only money, when the poor man must forfeit his eye or tooth or else become an indentured servant to pay off the debt? Will violent rich people become more careless than violent poor people with regard to injuring others? Are the rich being taught to care less for the law of God than the poor do? If the rich can buy their way out, is society thereby allowing the development of resentment among the poor, who feel that the law is working against them? Is society implicitly subsidizing rich criminals?[44]

Deuteronomy 19:21's requirement "thine eye shall not pity" indicates a literal application. This phrase is used only three times in the Bible: twice in Deuteronomy 19, in reference to the execution of murderers in Verse 13, and its application to *lex talionis* in Verse 21, and once in Deuteronomy 25:12 in reference to the hand amputation of the woman who injures a man's genitals. "Thine eye shall not pity" never refers to a monetary remuneration. No one is likely to show pity if money is all that is required.

The Canaanite King Adoni-bezek's punishment provides Biblical precedent for the literal interpretation of *lex talionis*:

Adoni-bezek fled; and they pursued after him, and caught him, and cut off his thumbs and his great toes. And Adoni-bezek said, Threescore and ten kings, having their thumbs and their great toes cut off, gathered their meat under my table: as I have done, so God hath requited me…. (Judges 1:6-7)

The literal application of *lex talionis* was exercised by Yahweh when judging nations. For example, the Egyptians, who were responsible for the deaths of countless Israelite baby boys, paid with the loss of their own first-born sons as Yahweh's judgment for their crimes when He rescued the nation of Israel from their bondage.

The most powerful argument for a literal interpretation of *lex talionis* is its unquestionably potent deterrent effect upon latent criminals:

The principle of "eye for eye" is easily understood. It allows people to evaluate in advance their potential liabilities for actions that inflict physical harm on others. This encourages personal responsibility. It also encourages people to make accurate assessments of potential costs and

> benefits of their actions. This is the biblical principle of counting the cost (Luke 14:28-30). It is basic to biblical liberty that individuals count the costs of their behavior....[45]

How much more potent is an "eye for an eye" when it is taken literally?

> …*lex talionis* ... may seem brutal. Judicially unregulated violence is more brutal.... This no doubt repels the sense of justice of covenant-breakers, but God is not concerned about the ethical sensibilities of covenant-breakers.[46]

This does not mean *lex talionis* must be executed in every maiming incident. It is only required when the victim demands it.

Exodus 21:18-19 contains added stipulations that (*in addition* to any physical judgment required from Verses 24 and 25) demand monetary remuneration:

> …if men have a quarrel and one strikes the other with a stone or with his fist, and he does not die but remains in bed; if he gets up and walks around outside on his staff, then he who struck him shall go unpunished [shall not be put to death]; he shall only pay for his loss of time, and shall take care of him until he is completely healed. (Exodus 21:18-19, NASB)

In *Baba Kamma* 8:1, the Jewish Mishnah (the first written compendium of Judaism's Oral Law, later codified circa 500 AD as a part of the Babylonian Talmud) adds the unbiblical requirement of compensation for the injured person's pain, suffering, and embarrassment or indignity. That these additional "damages" are often included in today's court judgments is evidence that the Talmud, not Yahweh's law, dominates the juridical system of the Constitutional Republic. The framers legislated against *lex talionis* in Amendment 8 – in effect, once again ruling against Yahweh.

Mahatma Gandhi reputedly said, "An eye for eye makes the whole world blind," but, in fact, the deterrent effect of *lex talionis* ensures far fewer maimed or murdered people. *Lex talionis* requires equitable retribution and restricts the extent of retaliation in order to keep the punishment proportional to the crime. *Lex talionis* promotes personal responsibility, eliminates the need for the insurance industry, and downsizes government. Federal agencies such as OSHA and the FDA become superfluous under its enforcement. Oversight of a speedy trial and administration of the proper judgment are the only required government intervention.

Christian Fear of Yahweh's Judgments

> Run ye to and fro ... and see now, and know, and seek in the broad places thereof, if ye can find a man, if there be any that executeth judgment.... (Jeremiah 5:1)

Every viable, dynamic law contains three integral components: commandments, statutes, and judgments:

> …he [Yahweh] declared unto you his covenant [law], which he commanded you to perform, even ten commandments.... And YHWH commanded me [Moses] at that time to teach you statutes and judgments, that ye might do them in the land whither ye go over to possess it. (Deuteronomy 4:13-14)

> And the word of YHWH came to Solomon, saying, … if thou wilt walk in my statutes, and execute my judgments, and keep all my commandments to walk in them; then will I perform my word with thee…. (1 Kings 6:11-12)

Without any one of these three components, the law is crippled. For example, modern society has initiated traffic laws, including a commandment against speeding. However, without statutes to explain what constitutes speeding in each particular situation (e.g., an excess of 20 mph in a school zone), the commandment cannot be fully understood or obeyed. Without judgments, the law has no teeth with which to check potential transgressors.

The judicial law of God given by Moses and expounded in other parts of scripture, so far as it is a hedge and a fence to the moral laws … hath an everlasting equity…. It was ordered that the judicial laws of God, as they were delivered by Moses … be a rule to all the courts in this jurisdiction in their proceedings against offenders.

The Records of the New Haven Colony (1641-1644)[47]

Whoever renders judgments holds dominion in society. That Yahweh intends for the judgments to be in the hands of His people is unmistakable:

Let … a twoedged sword [be] in their hand; to execute vengeance upon the heathen, and punishments upon the people; to bind their kings with chains, and their nobles with fetters of iron; to execute upon them the judgment written: this honour have all his saints. Praise ye YH. (Psalm 149:6-9)

Even most so-called pronomians abdicate one third of Yahweh's law – the judgments – to the non-Christians:

…there are some who deny that any commonwealth can be properly ordered if it is governed simply by the laws common to all nations, but without embracing the political laws [judgments] of Moses…. We must bear in mind here the commonplace division of the whole Law of God, as promulgated by Moses, into moral, ceremonial and judicial parts, and we must consider these parts separately, so as to be certain which of them apply to us, and which less so….

> And therefore, just as ceremonies could be abrogated without dutifulness to God being in any way impaired, so judicial laws could be abrogated…. And if this is true and it certainly is, then individual peoples have been left the freedom to make what laws they see to be expedient….

John Calvin[48]

The Bible offers no justification for equating Yahweh's civil judgments with the ceremonial laws of the Mosaic Covenant (which were fulfilled and eliminated by Jesus[49] and His blood-atoning sacrifice). We also find no justification for the "commonplace division" of Yahweh's law into "moral, ceremonial and judicial parts," by which the judicial parts are eliminated from Yahweh's morality. That murderers and sodomites merit death is indisputably a part of Yahweh's morality and, thus, a part of His very nature. To abrogate Yahweh's judgments is to abrogate a portion of Yahweh Himself.

Ronald L. Dart claims the following about Yahweh's judgments:

But what about those judgments? Aren't some of them outdated? Yes and no. Judgments do not require literal obedience. They may be dated, but they still serve as precedents in law. Judgments are obeyed in the spirit of the law…. We are supposed to think about them, or in the words of the psalmist, to meditate on them, for they are the will of God applied to a given time and place.[50]

Criminals would prefer Christians merely meditate on Yahweh's judgments and thereby vacate dominion to the non-Christians. Like so many others, Dart believes stoning and *lex talionis* were for another "time and place" and "untenable in the modern world."[51] He may not despise Yahweh's judgments, as did those in Ezekiel 20:13, but like most contemporary Christians, he is embarrassed by them. He turns the judgments over to "the civil government of the time,"[52] but (unlike Paul in Romans 13) without distinguishing between godly and ungodly governments:

For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same: For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil. (Romans 13:3-4)

Not all governments fit this description. The civil magistrates in Verses 3 and 4 are described as ministers of God. Is that, by any stretch of the imagination, an accurate description of most politicians and bureaucrats in office today? The term "minister of God" means a government official who ministers *on behalf* of God and His law:

And he [King Jehoshaphat] set judges in the land throughout all the fenced cities of Judah, city by city, and said to the judges, Take heed what ye do: for *ye judge not for man, but for YHWH*, who is with you in the judgment. Wherefore now let the fear of YHWH be upon you…. (2 Chronicles 19:5-7)

Moses warned his judicial appointees that their judgments were to be the judgments of Yahweh:

And I charged your judges at that time, saying, Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. Ye shall not respect persons in judgment; but ye shall hear the small as well as the great; ye shall not be afraid of the face of man; for the judgment is God's…. (Deuteronomy 1:16-17)

Only civil rulers who adjudicate on behalf of Yahweh and according to His law fit Paul's description of "ministers of God." Instead of manifesting the godly leadership qualifications listed in Chapter 5, United States government officials commit, among other things, the following atrocities:

- Legislating and financing the indiscriminate massacre of unborn children.
- Failing to condemn, and even financing, sodomy, pornography, and other abominations.
- Destroying our Christian heritage and culture.
- Allowing the construction of idolatrous synagogues, temples, mosques and the worship of other gods.
- Enslaving us to an inflated fiat and usurious monetary system.

- Maintaining a confiscatory tax on our land and property.
- Levying oppressive taxation on wages.
- Stealing from the rich to give to the poor.
- Selling us into one world government slavery via unbiblical international treaties.
- Funding illegal immigration and outsourcing jobs.
- Banning alternative healing methods and persecuting health practitioners.
- Conspiring to disarm us.
- Initiating unbiblical wars.

Because these are *not* the actions of a "minister of God to [us] for good," America's present government does not fit the description in Romans 13. It is better depicted in the maxim, "No one's life, liberty, or property is safe while the legislature is in session," which is just another way of saying, "When the righteous are in authority, the people rejoice: but when the wicked beareth rule, the people mourn." (Proverbs 29:2) And yet, pastors like Dart support turning government over to the wicked.

John Calvin's two-kingdom and anti-judgment theology inevitably led to heretical and dangerous conclusions regarding Romans 13:

…we are to be subject not only to the authority of those princes who do their duty towards us as they should, and uprightly, but to all of them, however, they came by their office, even if the very last thing they do is to act like [true] princes…. And hence, as far as public obedience is concerned, they are to be held in the same honour and reverence as would be accorded an excellent king … nor must we be in any doubt that we must honour the worst tyrant in the office in which the Lord has seen fit to set him.[53]

> As for us … let us take the greatest possible care never to hold in contempt, or trespass upon, that plenitude of authority of magistrates … whose majesty it is for us to venerate … even when it is exercised by individuals who are wholly unworthy of it and who do their best to defile it by their wickedness.[54]

Few preachers today see as clearly as did Pastor Jonathan Mayhew in 1749 when he preached the following regarding Romans 13:

If rulers are a terror to good works, and not to the evil; if they are not ministers for good to society, but for evil and distress, by violence and oppression; if they execute wrath upon sober, peaceable persons, who do their duty as members of society, and suffer rich and honorable knaves to escape with impunity; if, instead of attending continually upon the good work of advancing the public welfare, they attend continually upon the gratification of their own lust and pride and ambition, to the destruction of the public welfare; if this be the case, it is plain that the apostle's argument for submission does not reach them; they are not the same, but different persons from those whom he characterizes, and who must be obeyed, according to his reasoning.[55]

What Mayhew and other early American pastors preached is borne out in the word "revenger" in Romans 13:4. It is translated from the Greek *ekdikos*, which means "carrying justice out,"[56] or executing righteousness. Righteousness originates from Yahweh, and therefore the government described by Paul in Romans 13 carries out Yahweh's justice.[57] Solomon made it clear that only those who seek Yahweh can consistently carry out His justice:

Evil men understand not judgment [justice, NASB]: but they that seek YHWH understand all things. (Proverbs 28:5)

Failing to distinguish between godly and ungodly governments is not only unbiblical, it is a recipe for disaster:

Therefore the law is slacked, and [righteous] judgment doth never go forth: for the wicked doth compass about [surround, NASB] the righteous; therefore wrong judgment proceedeth. (Habakkuk 1:4)

Christians' aversion to Yahweh's judgments is one of the prime reasons Christians have lost dominion. Those who define criminal behavior and dispense judgment clearly rule society. Antinomians' aversion to Yahweh's judgments can only mean they believe man's judgments are superior to Yahweh's and that non-Christians are more competent to dispense judgment than Christians, which in turn means most modern Christians do not believe "…the judgments of YHWH are true and righteous altogether" (Psalm 19:9). They also do not believe "the law of YHWH is perfect" (Psalm 19:7), because any law void of its judgments is an imperfect law, lacking one third of its indispensable components. Abolishing a Commandment's judgment guts the Commandment the judgment enforces:

There has been an ancient tradition on the part of Christian commentators of appealing selectively to Old Testament laws whenever convenient in moral arguments, but almost never to the God specified sanctions…. This is wholly illegitimate exegetically, and it has led to the accusation by consistent critics that Christians who uphold "the moral law of God" apart from God's specified civil sanctions are hypocritical, that they want all the moral benefits of theocracy without any of the embarrassing theocratic sanctions.[58]

Antinomian author Roy L. Aldrich makes this very point:

If the Ten Commandments of the law are still binding then all of the penalties must remain the same. The death penalties should be imposed for Sabbath-breaking, idolatry, adultery, rebellion against parents, etc. To change the penalty of a law means to abolish that law. A law without a penalty is an anomaly. A law with its penalty abolished becomes only good advice.[59]

Gary North clearly depicts the problem:

The modern church simply pays no attention to God's ecclesiastical sanctions. Therefore, pagans pay very little attention to the churches. Why should they? The church is like an army without hierarchical order and without sanctions against mutiny. Such an army cannot win a battle. Pagans instinctively recognize this; Christians may also sense it, but then they blame eschatology rather than their own judicial cowardice.[60]

Wickedness is not only described as turning away from Yahweh's statutes but also His judgments:

For I have kept the ways of YHWH, and have not wickedly departed from my God. For all his judgments were before me, and I did not put away his statutes from me. (Psalm 18:21-22)

People opposed to Yahweh's judgments prefer crime over judgment, criminals over victims, and man's law – at least man's judgments – over Yahweh's. Put another way, these same people would prefer people be murdered, kidnapped, raped, and plundered rather than claim responsibility for administering Yahweh's righteous judgments:

The robbery of the wicked shall destroy them; because they refuse to do judgment. (Proverbs 21:7)

Despite most pronomians' strong belief in capital punishment, they ironically relinquish to the heathen the determination for what should and should not be capital offenses. History indicates their dereliction of duty may one day result in the deaths of their children or grandchildren for proclaiming Jesus as Lord and Savior, as in the waning days of Rome's Caesars.

The national punishments, prescribed in Leviticus 26, are a result of disobeying not only Yahweh's commandments and statutes but also His judgments:

But if ye will not hearken unto me, and will not do all these commandments; and if you shall despise my statutes, or if your soul abhor my judgments, so that ye will not do all my commandments, but that ye break my covenant: I also will do this unto you; I will even appoint over you terror, consumption, and the burning ague…. (Leviticus 26:14-16)

National blessings result from keeping Yahweh's commandments, statutes, and particularly His judgments. Do not miss the double emphasis on the judgments:

Thou shalt therefore keep the commandments, and the statutes, and the judgments, which I command thee this day, to do them. Wherefore it shall come to pass, if ye hearken to these judgments, and keep, and do them, that YHWH thy God shall keep unto thee the covenant and the mercy which he sware unto thy fathers. (Deuteronomy 7:11-12)

Moreover, when Yahweh's judgments are administered, the rest of the world learns of His righteousness:

Behold, I have taught you statutes and judgments, even as YHWH my God commanded me…. Keep therefore and do them; for this is your wisdom and your understanding in the sight of the nations, which shall hear all these statutes, and say, Surely this great nation is a wise and understanding people. For what nation is there so great, who hath God so nigh unto them, as YHWH our God is in all things that we call upon him for? And what nation is there so great, that hath statutes and judgments so righteous as all this law, which I set before you this day? (Deuteronomy 4:5-8)

> …when thy judgments are in the earth, the inhabitants of the world will learn righteousness. (Isaiah 26:9)

Christians who prefer Amendment 8 over Psalm 19:9 are guilty of the same sin as Job:

Wilt thou also disannul my [Yahweh's] judgment? Wilt thou condemn me, that thou mayest be righteous? (Job 40:8)

In order to return to Yahweh, we must return to His law, including His judgments:

…judgment shall return unto righteousness: and all the upright in heart shall follow it. Who will rise up for me against the evildoers? Or who will stand up for me against the workers of iniquity? (Psalm 94:15-16)

In 1 Corinthians 4:8, Paul desired Christians to reign over Yahweh's enemies. What righteous man doesn't desire the same? Paul looked forward to a day when Christians would rule and carry out Yahweh's judgments, as depicted in the following passages:

- 1 Corinthians 6:1-6 establishes Paul's expectation for Christians to set up their own courts of law, established upon Yahweh's law and enforced by His judgments.
- Romans 13:1-7 establishes Paul's anticipation of the day when righteous ministers (judges) of God would carry out judgment upon the wicked.
- 1 Timothy 1:8-11 declares that Yahweh's "law is good" and that "the law is not made for a righteous man," but for the wicked. The only aspect of the law that applies to non-repentant criminals is Yahweh's judgments. When Christians rule, Yahweh expects them to execute His judgments upon criminals.
- 2 Corinthians 10:4-6 establishes Paul's expectation for Christians to take dominion of every aspect of society, including the punishment of the wicked.

2 Corinthians10:6 ("And having in a readiness to revenge all disobedience, when your obedience is fulfilled") makes no sense if Paul is talking only about punishing disobedience in the church. Why would he wait until the Corinthian Christians' *obedience* was complete to punish their *disobedience*? Paul was looking forward to the time when the ecclesia would mature, increase, and become powerful enough to control the civil body politic and carry out Yahweh's judgments upon the wicked's disobedience.

If Christians hope to regain dominion, they must be prepared not only to implement Yahweh's commandments and statutes, but also to enforce His judgments. Otherwise, we will continue to face the consequences:

> [You have] … changed my judgments into wickedness … for they have refused my judgments and my statutes, they have not walked in them. Therefore thus saith the Lord YHWH; Because ye … have not walked in my statutes, neither have kept my judgments … behold, I, even I, am against thee, and will execute judgments in the midst of thee in the sight of the nations. (Ezekiel 5:6-8)

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. *Legal Encyclopedia*, "Bail: Getting Out of Jail After an Arrest: Everything you need to know about bail: what it is, how it's set, and how to pay it," http://www.nolo.com/legal-encyclopedia/bail-getting-out-of-jail-30225.html.

2. J. Franklin Snook, *To Heal the Nation* (Salem, OR: J. Franklin Snook, 1977) p. 162.

3. Judiciary Act of 1789, Section 33, http://www.constitution.org/uslaw/judiciary_1789.htm.

4. "Bail," *Wikipedia, the Free Encyclopedia*, http://en.wikipedia.org/wiki/Bail.

5. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God (without resorting to unscriptural extremes), "The Third Commandment" may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

6. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the Biblical text to ensure it has been properly used.

7. Edward A. Powell and Rousas John Rushdoony, *Tithing and Dominion* (Vallecito, CA: Ross House Books, 1979) pp. 67-68.

8. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God (without resorting to unscriptural extremes), "The Third Commandment" may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

9. In March 2009, Bernard "Bernie" Madoff, former Chairman of the NASDAQ stock exchange, pleaded guilty to eleven felonies and admitted to turning his wealth-management business into a massive Ponzi scheme that defrauded thousands of investors of billions of dollars.

10. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973/1984) p. 277.

11. Stephen Schafer, *Restitution to Victims of Crime* (Chicago, IL: Quadrangle Books, 1960) p. vii, quoted in Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) p. 274.

12. W. Cleon Skousen, *The Third Thousand Years* (Salt Lake City, UT: Bookcraft, 1964) p. 354, quoted in Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: The Institute for Christian Economics, 1990/1997) p. 395.

13. Snook, p. 163.

14. *Capital Punishment: Deterrent or Catalyst?* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $3 donation.*

15. *Prisons: Shut Them All Down!* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $3 donation.*

16. For additional information regarding intentional and justifiable homicide, "The Sixth Commandment" may be read online, or the book *Thou shalt not kill* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for suggested $4 donation.*

17. Robert L. Shevin, quoted in International Information Programs, USInfo.org, "Cruel or Unusual Punishment," *Rights of the People*: *Individual Freedom and the Bill of Rights*, http://usinfo.org/enus/government/overview/punish.html.

18. International Information Programs, USInfo.org, "Cruel or Unusual Punishment," *Rights of the People*: *Individual Freedom and the Bill of Rights*, http://usinfo.org/enus/government/overview/punish.html.

19. Michael H. Reggio, "History of the Death Penalty," http://www.pbs.org/wgbh/pages/frontline/shows/execution/readings/history.html.

20. *Gregg v. Georgia*, 428 U.S. 153 (1976).

21. Justice Frank Murphy, draft of an unpublished dissent (1946), quoted in International Information Programs, USInfo.org, "Cruel or Unusual Punishment," *Rights of the People*: *Individual Freedom and the Bill of Rights*, http://usinfo.org/zhtw/DOCS/RightsPeople/punish.html.

22. Friedrich Nietzsche, Helen Zimmern, trans., *Human*, *All Too Human* (Cambridge, UK: Cambridge University Press, 1986) p. 313.

23. *Trop v. Dulles*, 356 U.S. 86 (1958).

24. Leviticus 20:2, 7; 24:16; Numbers 15:32-34; Deuteronomy 13:6-10; 17:2-5; 21:20-21; 22:20-21, 23-24.

25. *Furman v. Georgia*, 408 U.S. 238 (1972).

26. See also Deuteronomy 17:12-13, 19:18-21, 21:20-21; Proverbs 21:11, 21:15; and 1 Timothy 5:20.

27. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

28. Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: The Institute for Christian Economics, 1990/1997) p. 324.

29. Ronald L. Dart, *Capital Punishment*: *A Christian Dilemma* (Whitehouse, TX: Christian Educational Ministries, 1998) p. 11.

30. John Jay, "Letters to John Murray," 15 April 1818, *The Correspondence and Public Papers of John Jay*, Henry Johnston, ed., 4 vols. (New York, NY: G. P. Putnam's Sons, 1893) vol. 4, p. 406.

31. Philip G. Kayser, *Is the Death Penalty Just*? (Omaha, NE: Biblical Blueprints, 2007/2009) p. 35.

32. For a study on unlawful vigilantism, the book *The Phinehas Hoods: A Biblical Examination of Unscriptural Vigilantism* may be read online, or the booklet may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $3 donation.*

33. Gary North, *Political Polytheism*: *The Myth of Pluralism* (Tyler, TX: Institute for Christian Economics, 1989) p. 581.

34. Lynching is sometimes believed to be one of Yahweh's methods of execution. In actuality, the criminal's corpse was sometimes hanged for public display, as an additional deterrent, *after* the criminal had been stoned to death.

35. For a more thorough study of all Ten Commandments and their respective statutes and judgments, the Ten Commandment series can be read online, or the booklets may ordered as a set or individually from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363.

36. Contempt of a Biblical court is a First Commandment violation because such defiance not only circumvents the court's authority, it also defies Yahweh who ordained the court.

37. This might also be considered a First Commandment violation because such child rebellion circumvents Yahweh's authority delegated to parents. Child rebellion is a capital crime only after parental discipline is repudiated by an older wayward child.

38. For a Biblical explanation of why the prohibition against kidnapping is a Sixth Commandment rather than an Eighth Commandment statute, "The Sixth Commandment" may be read online, or the book *Thou shalt not kill* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

39. Some Christians have falsely concluded from Deuteronomy 22:23-25 that only a forced sexual violation against a married or engaged woman constitutes rape. However, because the rape of any woman constitutes a kidnapping (which is itself a capital crime), it matters not whether the woman is married, engaged, or single. Whether this crime is committed against a husband's wife or a father's daughter, this sexual violation constitutes the forced abduction of a woman who belongs to another man.

40. For additional documentation regarding the heretical nature of the Babylonian Talmud,*God's Covenant People: Yesterday, Today and Forever* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

41. There is no such thing as "the evolution of Biblical legislation," except in Judaism, which through this evolutionary process negates Biblical law almost entirely.

42. "Retaliation, Law of," Isaac Landman, ed., *The Universal Jewish Encyclopedia*, 10 vols. (New York, NY: The Universal Jewish Encyclopedia, Inc., 1943) vol. 9, pp. 142-44.

43. John Eidsmoe, *God and Caesar*: *Christian Faith and Political Action* (Eugene, OR: Wipf and Stock Publishers, 1997) p. 201.

44. Gary North, *Tools of Dominion*: *The Case Laws of Exodus*, pp. 420-21.

45. Ibid., pp. 398-99.

46. Ibid., p. 429.

47. *The Records of the New Haven Colony* (1641-1644), quoted in Kenneth L. Gentry, Jr., *God's Law Made Easy*: *You Can Understand the Case for God's Law Today* (Draper, VA: Aplogetics Group Media, 2010) pp. 92-93.

48. John Calvin, *Calvin On Civil Government*, Book IV, Chapter 20, quoted in Harro Hopfl, trans., *Luther and Calvin on Secular Authority* (Cambridge, UK: Cambridge University Press, 1991, 1993) pp. 66-67.

49. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, "The Third Commandment" may be read online, or may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

50. Ronald L. Dart, *Law & Covenant* (Shelbyville, KY: Wasteland Press, 2007) pp. 192-93.

51. Ibid., p. 60.

52. Ibid., p. 230.

53. John Calvin, *Calvin On Civil Government*, Book IV, Chapter 20, quoted in Harro Hopfl, trans., *Luther and Calvin on Secular Authority* (Cambridge, UK: Cambridge University Press, 1991, 1993) pp. 76-78.

54 Ibid., p. 82.

55. Jonathan Mayhew, "A Discourse Concerning Unlimited Submission and Non-Resistance to the Higher Powers," quoted in John Wingate Thornton, *The Pulpit of the American Revolution*: *Political Sermons of the Period of 1776* (New York, NY: Da Capo Press, 1970) pp. 70-71.

56. James Strong, "Greek Dictionary of the New Testament," *The New Strong's Exhaustive Concordance of the Bible*, s.v. *ekdikos* (Nashville, TN: Thomas Nelson Publishers, 1990) p. 26.

57. *Christian Duty Under Corrupt Government*: A Revolutionary Commentary on Romans 13:1-7may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $7 donation.*

58. North, p. 915.

59. Roy L. Aldrich, "Causes for Confusion of Law and Grace," *Bibliotheca Sacra*, vol. 116 (July 1959) p. 226, quoted in Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: The Institute for Christian Economics, 1997) pp. 913-14.

60. Gary North, *Political Polytheism*: *The Myth of Pluralism*, p. 600.

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 18
Amendment 9: Rights vs. Righteousness

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

Besides life, liberty, and the pursuit of happiness in the Declaration of Independence, the "other" rights were never specified:

The debates in both houses of Congress add little to the original understanding of the Ninth Amendment. The Senate conducted its sessions in secret, and the House debates failed to offer a glimmer as to what unenumerated rights are protected by the Ninth Amendment, how such rights might be identified, or by what branch of government they should be enforced.[1]

According to the Preamble, WE THE PEOPLE "establish[es] justice, ensure[s] domestic tranquility, provide[s] for the common defence, promote[s] the general welfare, and secure[s] the blessings of liberty" for the people and their posterity. According to the Declaration of Independence, WE THE PEOPLE secures these rights via a government that derives its "powers from the consent of the governed." Consequently, under constitutional government, the people themselves determine the unenumerated rights:

In 2000, Harvard historian Bernard Bailyn gave a speech at the White House on the subject of the Ninth Amendment. He said the Ninth Amendment refers to "a universe of rights, possessed by the people – latent rights, still to be evoked and enacted into law … a reservoir of other, unenumerated rights that the people retain, which in time may be enacted into law."[2]

The Ninth Amendment is inclusive of *all* rights, at any given time, claimed or allowed by the people – oftentimes by a minority. These rights include natural rights, human rights, civil rights, political rights, and women's rights. They also include the right to murder your unborn child, the right to commit sodomy, and the right to openly worship and promote gods other than Yahweh.[3] (Because violations of the First Commandment were legitimized by Amendment 1, the "right" to violate this Commandment is not unenumerated. The right to worship other gods than Yahweh has been *specifically legalized* by the First Amendment.) Anyone who thinks this list of "rights" misrepresents Amendment 9 needs to consider that the Ninth Amendment was employed in *Roe v. Wade* to legalize infanticide:

Justice William O. Douglas … joined the majority opinion of the U.S. Supreme Court in *Roe*, which stated that a federally enforceable right to privacy, "whether it be founded in the Fourteenth Amendment's concept of personal liberty and restrictions upon state action, as we feel it is, or, as the District Court determined, in the Ninth Amendment's reservation of rights to the people, is broad enough to encompass a woman's decision whether or not to terminate her pregnancy."[4]

Former Assistant Attorney General Stephen J. Markman confirmed the unbiblical rights enumerated above are actually included in the Ninth Amendment:

…the Ninth Amendment constitutes a "license to constitutional decisionmakers [*sic*] to look beyond the substantive commands of the constitutional text to protect fundamental rights not expressed therein." Rights to abortion, contraception, homosexual behavior, and similar sexual privacy rights have already been imposed by judges detecting such rights in the Ninth Amendment.[5]

In *Understanding the Constitution*: *Ten Things Every Christian Should Know About the Supreme Law of the Land*, David Gibbs, Jr., and David Gibbs III argue for unalienable rights:

Our rights come from God, not from the state. Therefore, the state cannot take them away. What Uncle Sam gives, Uncle Sam can take away. But our nation's birth certificate, the Declaration of Independence makes clear that our rights are unalienable because they come from God.[6]

This sounds wonderful, but is it true? The State has certainly taken away an unwanted infant's right to life. The State has incrementally taken away gun owners' Second Amendment rights. The State has taken away the right to happiness, in particular the right to own property. Because rights come from the State, the State can take them away at its pleasure. On the other hand, as pointed out in Chapter 11, Yahweh's law does not recognize rights, God-given or otherwise, but only God-required responsibilities:

The biblical concept of justice has more to do with shaping and encouraging social duties in protecting the weak, the poor, the widows, and the orphans, than it does with asserting and protecting individual rights or liberties. In other words, the underlying jurisprudence of the Bible is more based on principles of duty than on concepts of rights.[7]

The theory of unalienable or natural rights can be traced back to the Age of Enlightenment. The term "natural rights," as employed by 18th-century men, is not compatible with the Bible. Deuteronomy 28 does not say we have a natural, human, or civil right to anything. Rather, we must serve Yahweh as God in order to receive His blessings:

And it shall come to pass, if thou shalt hearken diligently unto the voice of YHWH[8] thy God, to observe and to do all his commandments which I command thee this day, that YHWH thy God will set thee on high above all nations of the earth: And all these blessings shall come on thee, and overtake thee, if thou shalt hearken unto the voice of YHWH thy God. (Deuteronomy 28:1-2)[9]

Instead of endowing us with rights, Yahweh expects righteousness from us. People who demand their rights are like children, focused only on themselves. People who pursue righteousness are focused on Yahweh and their fellow man. The former person promotes a government of, by, and for the people; the latter person promotes a government of, by, and for Yahweh. Rights without responsibilities amount to antinomian licentiousness, which Jude warned against:

Beloved, when I gave all diligence to write unto you of the common salvation, it was needful for me to write unto you, and exhort you that ye should earnestly contend for the faith which was once delivered unto the saints. For there are certain men crept in unawares, who were before of old ordained to this condemnation, ungodly men, turning the grace of our God into lasciviousness [licentiousness, NASB], and denying the only Lord God, and our Lord Jesus Christ. (Jude 1:3-4)

Licentiousness is the license to sin, and sin is a transgression of Yahweh's law (1 John 3:4). Consequently, Jude is describing antinomians who turn the grace of God into a license, or right, to break Yahweh's law. This is often the consequence of pursuing alleged rights instead of righteousness. The "rights" already mentioned, along with countless other legal immoralities, can be traced back to the United States Constitution. Had the framers provided for a government established upon Yahweh's moral laws, the constitutional "rights" claimed by so many people would be recognized and punished as the moral aberrations they are.

Demanding rights is an admission of slavery to the one from whom those rights are petitioned. Every United States citizen who looks to the Constitutional Republic to grant or recognize his rights acknowledges that the government is his sovereign:

The emphasis on human rights demands the rejection of Divine Revelation in favor of human legislation. Man thinks he is capable of legislating rights. Human legislation seeks to supplant God and make statutes in areas that only God can regulate. And the rule of iniquity is framed into law. The actual trade that is made in this deal is the exchange of true freedom for human bondage.… The end result is the rule of rights rather than the rule of law.[10]

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

1. "Ninth Amendment," *The Free Dictionary*, http://legal-dictionary.thefreedictionary.com/9th+Amendment.

2. Bernard Bailyn, Remarks at White House Millennium Evening, http://www.constitution.org/911/schol/pnur.htm, quoted in "Ninth Amendment to the United States Constitution," http://en.wikipedia.org/wiki/Ninth_Amendment_to_the_United_States_Constitution.

3. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God (without resorting to unscriptural extremes), "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

4. *Roe v. Wade*, 410 U.S. 113, quoted in "Ninth Amendment to the United States Constitution," http://en.wikipedia.org/wiki/Ninth_Amendment_to_the_United_States_Constitution.

5. Stephen J. Markman, "The Coming Constitutional Debate," *Imprimis* (Hillsdale, MI: Hillsdale College, 2010) vol. 39, num. 4, p. 5.

6. David Gibbs, Jr., David Gibbs III, *Understanding the Constitution*: *Ten Things Every Christian Should Know About the Supreme Law of the Land* (Seminole, FL: Christian Law Association, 2006) p. 21.

7. John W. Welch, "Biblical Law in America: Historical Perspectives and Potentials for Reform," 30 September 2002, http://www.contra-mundum.org/essays/theonomy/WEL1.pdf.

8. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God (without resorting to unscriptural extremes), "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from

Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

9. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the Biblical text to ensure it has been properly used.

10. Dr. H. Rondel Rumburg, Foreword (21 February 1998) to Dr. Robert L. Dabney, *Anti-Biblical Theories of Rights*, which first appeared in the *Presbyterian Quarterly*, July 1888, (Hueytown, AL: Society for Biblical and Southern Studies, 1998) pp. 4-5.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 19
Amendment 10: Counterfeit Powers

> The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.

States' Rights

James Madison argued for these delegated and reserved powers in the *Federalist Papers*:

> The powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last [*sic*] the power of taxation will, for the most part, be connected. The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State.[1]

Amendment 10 is to states' rights advocates what Amendment 2 is to gun rights advocates. However, their promotion of the Tenth Amendment has secured little of the power they covet. Even if their efforts were rewarded, their quest for power is the wrong objective. They should be asking such fundamental questions as "What powers?" and "From whom did these alleged powers originate?" – particularly in light of Jesus'[2] claim to omnipotence:

And Jesus came and spake unto them, saying, All power [*exousia*: authority] is given unto me in heaven and in earth. (Matthew 28:18)[3]

Jesus' all-inclusive claim to authority is an affirmation of His omnipotence. It was not something He was yet to receive, but something He possessed as God incarnate. His authority and power were inherent in the fulfillment of Isaiah's and Daniel's prophecies, regarding His first advent and the establishment of His dominion, kingdom, and government:

For unto us a child is born, unto us a son is given: and the government shall be upon his shoulder: and his name shall be called Wonderful, Counsellor, The mighty God, The everlasting Father, The Prince of Peace. Of the increase of his government and peace there shall be no end, upon the throne of David, and upon his kingdom, to order it, and to establish it with judgment and with justice from henceforth even for ever. The zeal of YHWH[4] of hosts will perform this. (Isaiah 9:6-7)

And in the days of these kings [of the Roman Empire] shall the God of heaven set up a kingdom, which shall never be destroyed: and the kingdom shall not be left to other people, but it shall break in pieces and consume [outlast] all these kingdoms, and it shall stand for ever. (Daniel 2:44)

I saw in the night visions, and, behold, one like the Son of man came with the clouds of heaven, and came [ascended] to the Ancient of days, and they brought him near before him. And there was given him dominion, and glory, and a kingdom, that all people, nations, and languages, should serve him: his dominion is an everlasting dominion, which shall not pass away, and his kingdom that which shall not be destroyed. (Daniel 7:13-14)[5]

What powers does Matthew 28:18 leave the United States Constitution to claim for the federal government (as in Article 1) or to reserve for the states and the people? What made the framers think they had authority to delegate or reserve what was not theirs to confer in the first place? They probably looked to the Declaration of Independence, which asserts that "governments are instituted among men, deriving their just powers from the consent of the governed," for at least some of that authority. But what is found in the Declaration is a humanistic concept and a Talmudic tenet: "No legislation should be imposed on the public unless the majority can conform to it" (Avoda Zara 36a).

Just powers are *not* derived from the consent of the governed, but from Yahweh.[6] How were the constitutional framers any different from today's "legislators" (and most states' rights activists) who also fail to recognize Yahweh's sovereignty and omnipotence? When it came to instating Yahweh's law, the framers were as Biblically rebellious as their political progeny. What the framers did was not so much a usurpation of power as it was a counterfeiting of power, not all that different from what was done by those in the Old Testament who attributed power to idols of their own making (See Chapter 3, "The Preamble: WE THE PEOPLE vs. YAHWEH").

Romans 13

In answer to the question, "From where did these alleged constitutional powers originate?," someone is sure to point to Romans 13:

Let every soul be subject unto the higher powers [*exousia*: authorities]. For there is no power but of God: the powers that be are ordained of God. Whosoever therefore resisteth the power, resisteth the ordinance of God: and they that resist shall receive to themselves damnation. (Romans 13:1-2)

The Greek word *exousia* is best translated "authority." Although it is true that Yahweh sets up and removes even the worst of rulers (Daniel 2:21, 4:17), this does not mean such powers are the same authorities Christians are obligated to obey.

Godly society is based on authority. Ungodly society is based on power. In a Christian ecclesia, brethren deal with each other by authority – not power.[7]

Romans 13:1-2 allegedly sanctions the powers claimed, delegated, and reserved by the framers. However, this interpretation is defensible only if the next two verses are severed from Verses 1 and 2:

For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same: For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil. (Romans 13:3-4)

Yahweh's morality as found in His law is the only standard for determining what constitutes good and evil. Any surrogate standard causes those who subscribe to it to call "evil good, and good evil" (Isaiah 5:20) because "they have cast away the law of YHWH of hosts, and despised the word of the Holy One of Israel" (Isaiah 5:24). Any government not based upon Yahweh's law cannot be the government described in Romans 13:1-4.

People who teach that Verses 1 and 2 apply to any and all governments ignore Verses 3 and 4. By stipulating the type of government to which Christians are to submit, this passage does not come close to describing all governments. In 1743, colonial preacher Jonathan Mayhew expounded upon the Apostle Paul's intent in Romans 13:1-4:

> It is obvious, then, in general, that the civil rulers whom the apostle here speaks of, and obedience to whom he presses upon Christians as a duty, are good rulers, such as are, in the exercise of their office and power, benefactors to society. Such they are described to be throughout this passage. Thus, it is said that they are not a terror to good works, but to the evil; that they are God's ministers for good; revengers to execute wrath upon him that does evil; and that they attend continually upon this very thing.[8]

Not all rulers terrorize the wicked, nor do they praise the doers of good. In order to be the type of authority or government described by Paul, rulers must do both. America's early constitutional government generally qualified in the latter sense, but because it rejected Yahweh's cruel and unusual punishments in Amendment 8, by which evildoers are terrified, America's early constitutional government was disqualified as the type of government to which Romans 13:1-2 can be applied. How much more so today! More often than not, today's government (made possible and empowered by the Constitution) is the antithesis of the government described by Paul. Because today's Constitutional Republic often praises and rewards the workers of iniquity, while punishing the righteous, it is condemned by Yahweh:

> He that justifieth the wicked, and he that condemneth the just, even they both are abomination to YHWH. (Proverbs 17:15)

Does Yahweh want Christians to submit to an abomination? The government described by Paul to which we are obligated to submit is a Christian government, based upon the authority of Jesus the Christ and implemented upon Yahweh's commandments, statutes, and judgments. Rather than sanctioning constitutional powers, Romans 13:1-2 excludes any constitution or government that fails to acknowledge Yahweh's sovereignty and enforce His law.

Caesar or Yahweh?

In Mark 12:17, we find Jesus' oft-misused statement "Render to Caesar the things that are Caesar's, and to God the things that are God's." Many people interpret this to mean Yahweh and Caesar have separate jurisdictions, powers, and possessions. Is this true?

The term "Caesar" is used today to represent government in general. However, at the time Jesus made this statement, Caesar was a flesh and blood Roman dictator. What was it that Jesus was saying should be rendered to the Roman Emperor? Did the bodies, souls, and spirits of man belong to Caesar? Did reverence and obedience belong to Caesar? Did the people's land and other possessions belong to Caesar? What about taxes? Romans 13:7 tells us to "render therefore to all their dues: tribute [tax, NASB] to whom tribute is *due*; custom to whom custom; fear to whom fear; honour to whom honour." In Verse 6, Paul indicated all these things are due to God's ministers or servants. Did Caesar qualify as one of the ministers of God described by Paul in Verses 3 and 4? Jason and his Christian brethren certainly did not believe Caesar was due unqualified submission:

…they ["lewd fellows of the baser sort"] drew Jason and certain brethren unto the rulers of the city, crying, These that have turned the world upside down are come hither also… and these all do contrary to the decrees of Caesar, saying that there is another king, one Jesus. (Acts 17:6-7)

It is unfathomable that Jason and the others turned around and supported that to which they so strongly objected:

But by His enigmatic response, did Jesus really mean for His followers to provide financial support (willingly or unwillingly) to Tiberius Caesar – a man, who, in his personal life, was a pedophile, a sexual deviant, and a murderer and who, as emperor, claimed to be a god and oppressed and enslaved millions of people, including Jesus' own?[9]

To have done so, Christians would have financed their own and others' murders.

Because only Yahweh determines what is good and what is evil (Romans 13:4), the government described by Paul in Romans 13:1-7 is clearly a Christian government established upon the moral laws of Yahweh.[10] Therefore, the taxes Paul described as due to God's ministers, are *Biblical* taxes. Are we to believe Jesus was suggesting Christians pay Biblical taxes (tithes) to Caesar?

What belongs to Yahweh? And what belongs to Caesar? The answer to the first question answers the second question. Yahweh reigns over and owns *everything*:

The earth is YHWH's, and the fulness thereof; the world, and they that dwell therein. (Psalm 24:1)

What does this leave for Caesar? Even Caesar didn't belong to Caesar.

Jesus' answer was merely another example of His trapping the Pharisees with their own words – in this instance, forcing them to choose their god, Yahweh or Caesar.

Christian[11] Constitutionalists should take heed. Because no man can serve two masters, the Pharisees eventually made their choice clear:

And from thenceforth Pilate sought to release him: but the Jews cried out, saying, If thou let this man go, thou art not Caesar's friend: whosoever maketh himself a king speaketh against Caesar. When Pilate therefore heard that saying, he brought Jesus forth … and he saith unto the Jews, Behold your King! But they cried out, Away with him, away with him, crucify him. Pilate saith unto them, Shall I crucify your King? The chief priest answered, We have no king but Caesar. (John 19:12-15)

When interpreted correctly, Romans 13:1-4 proves that, apart from the areas where his law agreed with Yahweh's law, Caesar had no legitimate power or authority – except over those who, like the Pharisees and Herodians, had chosen him above Yahweh. Mark 12:17 was never meant to be general instruction to everyone, but only to those who forsake Yahweh's authority. The same is true of the Constitution and its Republic. Ultimately, the only power belonging to a non-Biblical constitutional government is whatever is attributed to it by the people who believe in it – as it is with all idols and the governments fashioned in their likeness.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. James Madison, Federalist No. 45, *Federalist Papers*, http://www.conservativetruth.org/library/fed45.html.

2. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, "The Third Commandment" may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

3. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the Biblical text to ensure it has been properly used.

4. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

5. See Chapter 2 "The Kingdom: Yesterday, Today, and Forever," for a more thorough explanation concerning the timing and location of the kingdom.

6. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

7. "Romans 13 (Part 2)," *The Voice of the Promised*, April 2010, Special Edition, p. 2.

8. Jonathan Mayhew, "A Discourse Concerning Unlimited Submission and Non-Resistance to the Higher Powers," quoted in John Wingate Thornton, *The Pulpit of the American Revolution: Political Sermons of the Period of 1776* (New York, NY: Da Capo Press, 1970) pp. 69-70.

9. Jeffrey F. Barr, "Render Unto Caesar: A Most Misunderstood New Testament Passage," *LewRockwell.com*, http://www.lewrockwell.com/orig11/barr-j1.1.1.html.

10. *Christian Duty Under Corrupt Government: A Revolutionary Commentary on Romans 13:1-7*, may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $7 donation.*

11. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 20
Amendment 11: Self-Imposed Limitations

Amendment 11

> The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by citizens of another state, or by citizens or subjects of any foreign state.

The Eleventh Amendment limits the federal judiciary from involvement in lawsuits in which a state is sued by citizens of another state or foreign entity. Despite its attempt at limiting itself, the federal government's judiciary is nonetheless unbiblical and consequently outside Yahweh's favor. See Chapter 6 "Article 3: Judicial Usurpation" for information regarding the unbiblical nature of the United States Constitutional Republic's juridical system.

Chapter 21
Amendment 12: Stipulations for Unscriptural Elections

Amendment 12

The electors shall meet in their respective states, and vote by ballot for President and Vice President, one of whom at least shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice President; and they shall make distinct lists of all persons voted for as President, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the seat of the government of the United States directed to the president of the Senate; the president of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before *the fourth day of March* next following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice President shall be the Vice President, if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list the Senate shall choose the vice president; a quorum for the purpose shall consist of two-thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice President of the United States.

The Twelfth Amendment includes additional election regulations. Because elections are unbiblical, any stipulations for the election of presidents, vice presidents, and other government officials are extraneous. See Chapter Five “Article 2: Executive Usurpation” for information regarding the unbiblical nature of constitutionally mandated elections.

Chapter 22
Amendment 13: Constitutional vs. Biblical Slavery

> Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

The African Slave Trade

Amendment 13, the first of the three postbellum reconstruction amendments, was adopted on December 6, 1865. Its purpose was to legalize President Lincoln's 1863 Emancipation Proclamation, formally ending the African slave trade and by which any Negroes still enslaved were freed.

Had I been alive at the time this Amendment was proposed, I would have been theoretically in favor of it for two reasons. First, I would have endorsed outlawing African slavery because both Old and New Testaments generally promote segregation rather than integration, uniculturalism rather than multiculturalism, and racial purity rather than amalgamation.[1]Consider Deuteronomy 7 in light of Ecclesiastes 1:9: "The thing that hath been, it is that which shall be; and that which is done is that which shall be done…."[2]:

When YHWH[3] thy God shall bring thee into the land whither thou goest to possess it, and hath cast out many nations before thee … thou shalt make no covenant with them, nor shew mercy unto them: Neither shalt thou make marriages with them; thy daughter thou shalt not give unto his son, nor his daughter shalt thou take unto thy son. For they will turn away thy son from following me, that they may serve other gods: so will the anger of YHWH be kindled against you, and destroy thee suddenly. But thus shall ye deal with them; ye shall destroy their altars, and break down their images, and cut down their groves, and burn their graven images with fire. (Deuteronomy 7:1-5)

Even if the potential for idolatry were the only reason for segregation, the consequences of ignoring this reason are the same today as they were when Moses first penned Deuteronomy 7. In 1776, approximately 2.5 million people resided in America. More than 99 percent of that population were white Christian Protestants[4]. The remaining 1 percent was collectively represented by 20,000 Roman Catholics, 3,000 Jews, and some deists. In light of these statistics and America's present-day demographics (51.3 percent Protestant, 23.9 percent Roman Catholic, 3.3 percent other Christian, 1.7 percent Jewish, 0.7 percent Buddhist, 0.6 percent Muslim, 0.4 percent Hindu, 1.2 percent other religions, and 16.1 percent no religion[5]), it is inescapable that the more non-European immigrants allowed to enter and remain in this country, the less Christian this nation becomes. The more racially mixed and multicultural America becomes, the more religiously pluralistic she becomes, and the more pluralistic she becomes, the more pagan she becomes. In 1776, only 1 percent of Americans professed some religion other than Christianity, whereas of October 2009, almost 50 percent of Americans professed a religion other than Christianity. (The genesis of this staggering increase in non-Christian numbers finds its origin in Article 6 and Amendment 1.) In her book, *The Official Guide to the American Marketplace*, Cheryl Russell confirmed this paganizing of America:

> Immigration will slowly change the nation's [predominately Christian] religious affiliation.... Because most of the nation's immigrants are from Mexico ... the Roman Catholic church is likely to gain adherents. The influx of Asian immigrants should boost the share of Americans who are Buddist or Hindu.[6]

The same demographic consequences are true regarding Jewish, Muslim, and other non-European immigrants. Nationally acclaimed demographics expert Martin E. Marty corroborated this inevitable consequence of mixing races and cultures:

> No one noticed it at the time, but the biggest event affecting pluralism [the ever-increasing multi-religious composition of the United States] was in 1965, when immigration quotas that favored Europeans were altered.[7]

Before 1965, when immigration quotas favored Europeans, America was predominately Christian. (Why are most Europeans Christian and most non-Europeans non-Christian? Could the answer be found in Hebrews 8:8-9?[8]) The instructions given by Moses in Deuteronomy 7:1-5 are still valid. Nothing has changed. The consequences of interracial and multicultural immigration (regardless the race) and its promotion of integration are just as cogent today as they were in Moses' day. This is a reality most Americans do not want to face. Such information is usually met with accusations of racism and white supremacy, but the real racists are those whose agenda destroys the distinct God-created races and their cultures through amalgamation. Nehemiah understood the consequences of the Israelites (Judahites in this instance) mixing with those whose cultures were contrary to their own:

> In those days also saw I Jews [Judahites] that had married wives of Ashdod, of Ammon, and of Moab: And their children spake half in the speech of Ashdod, and could not speak in the Jews' language, but according to the language of each people. And I contended with them, and cursed them, and smote certain of them, and plucked off their hair, and made them swear by God, saying, Ye shall not give your daughters unto their sons, nor take their daughters unto your sons, or for yourselves.... Shall we then ... do all this great evil, to transgress against our God in marrying strange wives?... Thus cleansed I them from all strangers.... (Nehemiah 13:23-30)

Anyone who thinks integration has solved America's race problem has blinded himself to the statistics and the realities of life, particularly in the inner cities where the problem is most evident. The race problem is best solved through segregation. With segregation, there can be no race problem. Integration inevitably leads to amalgamation and ultimate amalgamation is equivalent to genocide. R.J. Rushdoony unmasked the real racists:

> Men have tried over and over again to establish a community on the basis of *blood*. ...[T]his racist idea of community [has been extended] to include all men, a one-world order. All men, it is pointed out, are a common species and hence should live together in community. A widely promoted book of a few years ago was titled *The Family of Man*, a deliberate appeal to the unity of the family in blood as the ground for the same unity of all men as one in blood. ... [H]owever intensely the national state and the one-worlder try to create a unified human community in terms of blood, these attempts are a failure. Instead of a unified society, there is a divided one which continues to fractionalize.[9]

Look at South Africa since apartheid was eliminated. Of course, you will have to look somewhere other than the mainline media outlets to get your information. After condemning apartheid as such a wicked practice, they are not about to report on the aftermath of bloodshed, rape, and pillage.

If for no other reason, the African slave trade that was practiced in early America was wrong because it led to the integration and mixing of peoples whom Yahweh[10] never intended to be integrated and mixed. If He had intended it, He would have done the mixing Himself. That integration (resulting from the African slave trade) became a significant problem is evidenced in that “by the eve of the American Revolution, half of Virginia’s population was black, and two-thirds of South Carolina’s.”[11]

African slavery was one of the initial steps in America’s return to the Tower of Babel. Rushdoony elaborated upon unequal yoking and some of its inevitable consequences:

Unequal yoking [2 Corinthians 6:14] plainly means mixed marriages between believers and unbelievers and is clearly forbidden. But Deuteronomy 22:10 not only forbids unequal religious yoking by inference, and as a case law, but also unequal yoking generally.... Man was created in the image of God (Gen. 1:26), and woman in the reflected image of God in man, and from man (1 Cor. 11:1-12; Gen. 2:18, 21-23). “Helpmeet” means a reflection or mirror, an image of man, indicating that woman must have something religiously and culturally in common with her husband. The burden of the law is thus against inter-religious, inter-racial, and inter-cultural marriages, in that they normally go against the very community which marriage is designed to establish.

Unequal yoking means more than marriage. In society at large it means the enforced integration of various elements which are not congenial. Unequal yoking is in no realm productive of harmony; rather, it aggravates the differences and delays the growth of the different elements toward a Christian harmony and association.[12]

In an article entitled “Mixed Up: The Case Against Interracial Marriage: A Black Speaks Out Against Interracial Marriage,” Emanuel McLittle concurred:

…interracial marriage ... is contrary to all known laws of physiology, physics, and nature.... It is interesting to note that prior to the early 1900s, everyone on earth, with very few exceptions, knew that marriage to one’s own racial kind, was the most natural and undisputed of all human traditions....

This fact does not imply a kind of prejudice in the fingers of nature. Instead it speaks to a creative wisdom working to preserve each element, kind, species and race as it was originally created – forming a universe where an unnumbered variety cooperate in the shaping of a beautiful whole. I argue that a similar mandate exists for humans, but unlike the pine tree, a blade of grass, or the great white shark, we can ignore this mandate.... Deeper than the obvious, race mixing serves an obtuse political purpose that tends to undermine the social stability of all races....[13]

The racial variations of which McLittle wrote (particularly among those people of mixed races) were demonstrated by recent bone marrow donor statistics:

New reports which have focused on the problems surrounding suitable matches for bone marrow transplant patients have inadvertently revealed why race does exist, and why it matters for humanity's sake. The statistics revealed that: –White British people have a 1 in 3 likelihood of finding a bone marrow transplant match. –Asian or black people living in Britain have a 1 in 125,000 likelihood of finding a bone marrow transplant match. –People of mixed race living in Britain have a 1 in 200,000 or more likelihood of finding a bone marrow transplant match.... The statistics are significant because they reveal that race is major factor in determining biological diversity....[14]

Miscegenation was forbidden long before man became aware of these statistics. For the Israelites, the command for racial purity is inherent and principally found in Yahweh's mandate that they remain a distinct and separate people:

Now therefore, if ye will obey my voice indeed, and keep my covenant, then ye shall be a peculiar treasure unto me above all people.... And ye shall be unto me a kingdom of priests, and an holy nation. (Exodus 19:5-6)

But I have said unto you, Ye shall inherit their land, and I will give it unto you to possess it ... I am YHWH your God, which have separated you from other people ... for I YHWH ... have severed you from other people, that ye should be mine. (Leviticus 20:24-26)

…the people shall dwell alone, and shall not be reckoned among the nations. (Numbers 23:9)

For they be thy people, and thine inheritance.... For thou didst separate them from among all the people of the earth, to be thine inheritance.... (1 Kings 8:51-53)

After returning from seventy years of Babylonian captivity, both Ezra and Nehemiah understood returning to Yahweh required the Israelites to repent of their assimilation:

And Ezra the priest stood up, and said unto them, Ye have transgressed, and have taken strange wives, to increase the trespass of Israel. Now therefore make confession unto YHWH God of your fathers, and do his pleasure: and separate yourselves from the people of the land, and from the strange wives. (Ezra 10:10-11)

Now in the twenty and fourth day of this month the children of Israel were assembled with fasting, and with sackclothes, and earth upon them. And the seed of Israel separated themselves from all strangers, and stood and confessed their sins, and the iniquities of their fathers. (Nehemiah 9:1-2)

One often-overlooked reason why Israel is not allowed to integrate is to protect their inheritance:

…The people of Israel ... have not separated themselves from the people of the lands.... For they have taken of their daughters for themselves, and for their sons: so that the holy seed have mingled themselves with the people of those lands.... And when I heard this thing ... I fell upon my knees, and spread out my hands unto YHWH my God. And said, O my God ... for our iniquities have we ... been delivered into the hand of the kings of the lands, to the sword, to captivity, and to a spoil, and to confusion of face, as it is this day. ...[W]e have forsaken thy commandments ... saying, ... Now therefore give not your daughters unto their sons, neither take their daughters unto your sons ... that ye may be strong, and eat the good of the land, and leave it for an inheritance to your children for ever. (Ezra 9:1-12)

Our inheritance is turned to strangers, our houses to aliens. (Lamentations 5:2)

Ephraim, he hath mixed himself among the people.… Strangers have devoured his strength, and he knoweth it not.… (Hosea 7:8-9)

Even the wicked men in Judges 19-21 never went so far as to seek non-Israelite wives for the decimated tribe of Benjamin (Judges 21:7ff). These wicked men were more upright concerning ethnic integrity than are the vast majority of today's pastors, who are more concerned with political correctness than Biblical correctness.

The second reason I would have opposed the African slave trade is because it violated Yahweh's law against kidnapping. In America, African slavery was not the consequence of a military defeat (that was sometimes condoned under the Old Covenant), nor was it the result of indentured servitude (voluntary, fiscal, or judicial). African slavery was generally the result of American greed and amounted to kidnapping and human trafficking, both of which are capital crimes:

And he that stealeth a man, and selleth him, or if he be found in his hand, he shall surely be put to death. (Exodus 21:16)

Exodus 21, in which we find Yahweh's condemnation of kidnapping, is also where we find provisions and conditions regarding slavery. Yahweh permitted certain forms of slavery, but He did not allow kidnapping as a means of securing slaves or indentured servants.

Constitutional Slavery

Although the principal purpose of Amendment 13 was to abolish the African Slave Trade, the Constitution did not abolish *all* slavery. Almost no one talks about Amendment 13's provision *for* both slavery and involuntary servitude as punishment for crimes. It is completely within a constitutional judge's prerogative to sentence a convicted criminal to a prison sentence – what amounts to one of the most cruel and unusual forms of psychological slavery known to man. The Constitution reserved for the government what it made illegal for private citizens. This is, in part, a consequence of Amendment 8's repudiation of Yahweh's judgments:

It is ironic that many Christians have come to accept the ungodly and humanistic prison system as the norm, while they react in horror to the Bible's humane system of indentured servitude. Enslavement to the state is sanctioned, while private household "slavery" is anathema.[15]

Incarceration has proven not only extremely expensive, but also inept at curtailing America's escalating crime. The argument can be made, in fact, that the United States penal system has contributed to crime. U.S. Senator Jim Webb (D-VA) articulated some of the inherent problems:

The United States has by far the world's highest incarceration rate. With 5% of the world's population our country now houses nearly 25% of the world's reported prisoners. We currently incarcerate 756 inmates per 100,000 residents, a rate nearly five times the average worldwide of 158 for every 100,000. In addition, more than 5 million people who recently left jail remain under "correctional supervision," which includes parole, probation, and other community sanctions. All told, about one in every 31 adults in the United States is in prison, in jail, or on supervised release. This all comes at a very high price to taxpayers: Local, state, and federal spending on corrections adds up to about $68 billion a year.… With so many of our citizens in prison compared with the rest of the world, there are only two possibilities: Either we are home to the most evil people on earth or we are doing something different and vastly counterproductive. Obviously, the answer is the latter.[16]

What makes these figures even more alarming is that upwards of “90% of all criminal cases do not go to court because the criminal pleads guilty to a lesser charge.”[17] Worse yet, the majority of crimes go unsolved, which means only a minority of criminals are ever arrested and indicted to begin with. A law-abiding citizen has a greater chance of being victimized by a violent criminal than he does of being injured in an automobile accident. Under the United States current unbiblical penal system crime *does* pay.

Until at least 1978, the consensus of the criminology establishment was that offenders could be rehabilitated in prisons and also in the community under the tutelage of probation officers. This opinion prevailed even though irrefutable statistics revealed that at least two thirds of all offenders upon release from prison or discharge from probation commit other offenses.[18]

Because non-violent inmates are often housed with hardened criminals, America’s prisons are fertile training grounds for compounded criminal behavior. Non-violent criminals often become physical and sexual victims of the hardened lifers. No one who knows what goes on behind prison bars would ever describe incarceration as humane. “[T]he tender mercies of the wicked are cruel” (Proverbs 12:10) is how King Solomon described the misguided compassion of those who believe it is more humane to imprison criminals than to indenture them or put them to death, depending upon the nature of their crime.

In no stretch of anyone’s imagination have America’s prisons proven to be institutions of rehabilitation. Rare exceptions do not make America’s current penal system a viable choice for crime control – except by those blinded to the facts by their so-called empathy:

Long prison sentences cause immeasurable psychological damage to inmates by wasting their lives away in useless and profitless pursuits, while the soaring costs of prison upkeep place a heavy financial penalty on those who observe the law.[19]

Except as a means to hold criminal suspects for trial (Leviticus 24:12, Numbers 15:34), incarceration is unbiblical. When Yahweh’s judicial protocol is followed, prisons are completely superfluous.

Restitution and restoration are the essence of justice. The prison system as an answer to the problem of crime is a modern and anti-Biblical scheme: it does nothing to further either restitution or restoration and accomplishes little other than removing the criminal from society temporarily. It does not remedy the crime, nor does it remedy the criminal, as it purports to do.[20]

Prisons are not only superfluous, they are a counterproductive form of slavery. Although the Bible is often denounced for its provisions for slavery, ironically, the Constitution is rarely condemned for providing its own barbaric and inept version of the same thing:

This is the “dirty little secret” of those atheists, pietists, and antinomians who ridicule the biblical system of slavery: they have accepted the horror of unproductive imprisonment in place of the biblical institution of penal labor servitude, out of which an industrious slave could purchase his freedom. If the criminal in ancient Israel was financially unable to pay his victim, his sale to a slave-buyer was what provided the victim with his lawful restitution payment. The prison system has always been the Bible-hater's preferred substitute for the Old Testament's system of law-restricted labor servitude. In short, in order to enforce the Bible's principle of economic restitution to victims by criminals, there always has to be a more fearful support sanction in reserve: death, imprisonment, whipping, banishment, or indentured servitude. But only one of these reserve sanctions raises money for the victims: indentured servitude. The critics of biblical law just never seem to remember to mention this fact.[21]

Yahweh's law stipulates a three-layered judgment: restitution, indentured servitude, and death. If a thief is unable to pay his debt to his victim and refuses to submit to indentured servitude, his crime becomes contempt of court, which according to Deuteronomy 17:9-13 is a capital crime. Under Yahweh's penal system, convicted thieves will certainly choose to pay restitution or submit to indentured servitude. (See Chapter Seventeen "Amendment 8: Bail, Fines, and Cruel and Unusual Punishments?" for additional information regarding the United States Constitutional Republic's unbiblical penal system.)

As with everything man does (knowingly or unknowingly) when he rejects Yahweh law, the Constitutional Republic's prison system has been an utter failure in deterring criminal behavior and rehabilitating criminals. What has been the Constitutional Republic's response to this failure? Build more prisons. Yahweh's answer is to shut all prisons down![22]

Biblical Slavery

Because of the way Americans have been programmed to react to the African slave trade, the idea of any kind of involuntary servitude (with the exception, of course, of the United States penal system) is repugnant. Benjamin Rush, a signatory of the Declaration of Independence, renounced domestic slavery as anti-Christian:

> Domestic slavery is repugnant to the principles of Christianity…. It is rebellion against the authority of a common Father. It is a practical denial of the extent and efficacy of the death of a common Savior. It is an usurpation of the prerogative of the great Sovereign of the universe who has solemnly claimed an exclusive property in the souls of men.[23]

Rush did not provide any Biblical basis for his claims; his argument is mere emotionalism. Instead of Yahweh's Word, Rush, in the tradition of Thomas Paine's *The Age of Reason*, lauded capricious reason as the means of determining what is right, including his promotion of a prison (slavery) system:

> Whatever is humane is wise – whatever is wise is just – and whatever is wise, just, and humane will be found to be the true interest of states…. These things are the latent struggles of reason, or rather the secret voice of God himself, speaking in the human heart against the folly and cruelty of public punishments.[24]

According to Rush, because Yahweh's judgments are not humane, Yahweh is neither wise nor just. This alone provides reason to reconsider the authenticity of the brand of Christianity so prevalent at the time the Constitution was framed and ratified. Noah Webster took his non-Biblical repudiation of slavery a step further:

> Justice and humanity require it [the elimination of all forms of slavery] – Christianity commands it.[25]

Webster did not provide the commandment that forbids slavery because no such commandment exists. Instead, the Fourth Commandment recognizes slavery, and the Ninth even protects it:

> But the seventh day is the sabbath of YHWH thy God: in it thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maidservant…. (Exodus 20:10)
>
> Thou shalt not covet thy neighbour's house, thou shalt not covet thy neighbour's wife, nor his manservant, nor his maidservant, nor his ox, nor his ass, nor any thing that is thy neighbour's. (Exodus 20:17)

In Genesis 24:35, we are told that menservants (the same Hebrew word translated "bondmen" in Leviticus 25:44) and maidservants were a part of Yahweh's blessings upon Abraham. At the time of Lot's kidnapping in Genesis 14, Abraham had three hundred and eighteen adult male bondservants. Contrast Rush's and Webster's Scripture-deficient remarks with 19th-century Presbyterian minister Robert L. Dabney's comments:

> …concerning the lawfulness of domestic slavery. The two sides of this issue are defined with perfect sharpness. The political theory says the subjection of one Human being in bondage to another, except for conviction of crime, is essentially and always unrighteous. The Scriptures indisputably declare, in both Testaments, that it is not always essentially unrighteous, since they legitimate it under suitable circumstances, and declare that godly masters may so hold the relation as to make it equitable and righteous. …[T]he leading facts: (a,) That God predicted the rise of the institution of domestic bondage as the penalty and remedy for the bad morals of those subject to it (Gen. ix. 25); (b,) That God protects property in slaves, exactly as any other kind of property, in the sacred Decalogue itself (Exod. xx. 17); (c,) That numerous slaves were bestowed on Abraham, the "friend of God," as marks of the favor of divine providence (Gen. xxiv. 35); (d,) That the relation of master and bondman was sanctified by the administration of a divine sacrament, which the bondman received on the ground of the master's faith (Gen. xvii. 27); (e,) That the angel of the covenant himself remanded a fugitive slave, Hagar, to her mistress, but afterwards assisted her in the same journey when legally manumitted (Gen. xxi. 17-21); (f,) That the civil laws of Moses expressly allowed Hebrew citizens to purchase pagans as life-long and hereditary slaves (Lev. xxv. 44-46); (g,) That the law declares such slaves (that is, their involuntary labor) to be property.[26]

For man to be repulsed by anything Yahweh commands or permits is an expression of humanism. Worse, anytime we conclude our morality is superior to Yahweh's, we are ultimately attempting to usurp His divinity. In Job 35:2, Elihu accused Job of this breach, "Thinkest thou this to be right, that thou saidst, My righteousness is more [magnanimous] than God's?" We may not always understand Yahweh's actions or commands, but this does not give us the right to shun or ignore His instructions. The question we are faced with is not one of slavery or no slavery, but a question of constitutional slavery or Biblical slavery, and which provides what is best.

If you are working from the paradigm that Yahweh's law is perfect and His judgments altogether righteous (Psalm 19:7-9), the answer to this question is a given: the forms of slavery and indentured servitude mandated in Yahweh's law are far better than what is mandated in the Constitution. Because most people (consciously or unconsciously) work from the paradigm that their morality is preferable to Yahweh's, even most Christians are embarrassed that Yahweh's law authorizes slavery and indentured servitude. They fail to see the beauty of His law, particularly as contrasted with the United States penal system's slavery.

The Bible mandates four types of servitude: voluntary indentured servitude, judicially mandated servitude, militarily subjugated servitude, and purchased foreign servitude.

Voluntary Indentured Servitude

> And if thy brother, an Hebrew man, or an Hebrew woman, be sold unto thee, and serve thee six years; then in the seventh year thou shalt let him go free from thee. And when thou sendest him out free from thee, thou shalt not let him go away empty: Thou shalt furnish him liberally out of thy flock, and out of thy floor, and out of thy winepress: of that wherewith YHWH thy God hath blessed thee thou shalt give unto him.... And it shall be, if he say unto thee, I will not go away from thee; because he loveth thee and thine house, because he is well with thee; then thou shalt take an aul, and thrust it through his ear unto the door, and he shall be thy servant for ever. And also unto thy maidservant thou shalt do likewise. (Deuteronomy 15:12-17)

> And if thy brother that dwelleth by thee be waxen poor, and be sold unto thee [sells himself to you, NASB]; thou shalt not compel him to serve as a bondservant: But as an hired servant, and as a sojourner, he shall be with thee, and shall serve thee unto the year of jubilee: And then shall he depart from thee, both he and his children with him, and shall return unto his own family, and unto the possession of his fathers shall he return. For they are my servants, which I brought forth out of the land of Egypt: they shall not be sold as [permanent] bondmen. Thou shalt not rule over him with rigour; but shalt fear thy God. (Leviticus 25:39-43)

These and other slavery passages are problematic for many Bible readers. What they often miss is Yahweh's provision to restore the financially destitute, in contrast to modern America's welfare programs, which exacerbate the problems of the poor and further burden the working class. Voluntary indentured servitude provides a means for the financially impoverished or indebted to climb out of his fiscal hole and improve his financial standing:

> There are cases where righteous people fall into poverty or trials through no fault of their own. In order to give them a way back into profitable service as debt-free producers, God makes indentured servitude available to them. It is God's means of grace to them, a means of release from debt bondage. It is clear that the society at large is not supposed to become burdened with extra taxes in order to care for such people. ...[B]ondservice is ... the Bible-sanctioned remedy for poverty.... The poor man is expected to bear the unpleasant burden of becoming a bondservant as the means of his restoration economically. The taxpayers are not to become his servants. A welfare State cannot develop when the biblical laws of servitude are honored.[27]

Indentured servitude also provides incentive and training for future fiscal responsibility:

> The major form of capital that he was to take from his place of former servitude was ethical and psychological.... He had been under the direction of a successful manager, someone who could afford to purchase a servant. Being managed by a good manager is one of the best ways to become a good manager.... Thus, short-term indentured servitude was designed to produce long-term independence....[28]

> Indentured servitude functioned in the Hebrew commonwealth as a means of dealing with men who were unwilling or unable to manage their own affairs. Indentured servitude provided tools, supervision, education, food, shelter [much the same as with prisons, but with a far better outcome], and some of the comforts of prosperity to those without capital. It also provided security. It was a way of building a capital base. Jacob served Laban for seven years

in order to earn Rachel as his wife (Gen. 29:20). He became, in effect, an indentured servant.... He was a future-oriented man. He was also ... [a] man who amassed a great deal of capital in his 20 years of service ... to his corrupt uncle and father-in-law.[29]

Voluntary servitude has two forms and two time limitations. The first form, in Deuteronomy 15, was a short-term solution for financially assisting someone back onto his feet. This servitude lasted a maximum of six years, unless the security of slavery was more appealing than freedom and the servant volunteered to become a permanent slave. The provision for voluntary permanent slavery is addressed in both Deuteronomy 15 and Exodus 21. Biblical slavery could not have been as barbaric as its opponents claim, nor as cruel as constitutional slavery, because no one volunteers to be permanently imprisoned today except as a plea bargain to avoid the death penalty.

Probably the most difficult aspect of Biblical slavery is Exodus 21:4's stipulation that "if his master have given him a wife, and she have born him sons or daughters; the wife and her children shall be her master's, and he shall go out by himself." However, as with everything Yahweh legislates, there are important reasons for this provision:

At first glance, this may seem cruel and unreasonable. However, the slave could stay with his wife and family by agreeing to remain in the service of the master for the rest of his life, as provided for in [Exodus] 21:5-6. Or he could work hard and earn the money to redeem his wife and children, once he had finished paying off his previous unpaid debts. This law, preventing a husband from taking with him a wife he had married while a slave was actually for the protection of the woman. This law was given in the context of a society where every woman was supposed to have a man who was responsible for her upkeep and maintenance.

…it was considered essential that a potential husband demonstrate his ability to support a woman and children.... Naturally, a debt-slave was in no position to pay a dowry or to provide economic security for a woman wishing to marry him. For this reason, the Law provided that such a woman, having married a debt-slave, would remain with the master, who would be responsible for and capable of providing for the material welfare of that woman and her children.

This provision of the law was an obvious incentive for a woman to think twice about marrying a debt-slave. It would encourage her to consider choosing for a husband another man who was not in debt slavery and could properly provide for her. Or it would encourage her to wait until the debt-slave's 6-year term of servitude was over. Once his burden of debt was paid off, they could then go ahead and get married in a much more stable and practical situation that would allow the former slave to provide properly for his family.[30]

(See Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Vallecito, CA: Ross House Books, 1982) for more detailed explanation regarding Exodus 21 and other potentially problematic slavery passages.)

The second form of indentureship, in Leviticus 25, lasted no longer than forty-nine years. The context of Leviticus 25 associates this with leased land provisions, which were tied to the year of jubilee:

The second form of servitude ... applied to someone who had leased his land to another person, and who subsequently fell into poverty again. Let us consider the land lease first. A poor person could go to another person, Hebrew or resident alien, and offer him a long-term leasehold arrangement. The purchaser of the lease was able to make a cash payment to buy control over the first person's land. Such a purchase was temporally limited by the occurrence of the next jubilee year, the year following the seventh national sabbatical year. The individual could legally redeem the land at any time by paying to the leaseholder the pro-rated value remaining until the jubilee year. Also, his kinsman was allowed to re-purchase the land for him on the same basis (Lev. 25:25-28)....

If a person without land fell into poverty again, he could lease himself in the same way that he had previously leased his land. He could seek an immediate cash payment in exchange for the promise of personal household service until the next jubilee year....[31]

Judicially Mandated Servitude

If a man shall steal an ox, or a sheep, and kill it, or sell it; he shall restore five oxen for an ox, and four sheep for a sheep. ...[H]e should make full restitution; if he have nothing, then he shall be sold for his theft. (Exodus 22:1-3)

Under Yahweh's judicial system, the first time a thief is apprehended, tried, and judged guilty, he is required to repay what he stole and, in most instances, an additional two to five times more, depending upon the nature of his crime. [32] If he is unable to pay the required restitution, he is not released to steal again, nor is he thrown into prison. Instead, he is indentured – sold into what amounts to slavery – until he has worked off his debt to either his victim or someone who paid his debt to the victim by purchasing him. Either way, the criminal is punished and the victim is compensated.

…criminals were not under the release provisions of the sabbatical year or the jubilee year. He had become a covenantal stranger in Israel, and so did not gain the protection of the jubilee year. To interpret his situation differently would mean that as the year of jubilee approached, the declining sanctions chronologically would have acted as a subsidy to criminal behavior. The criminal might think: "since I cannot be enslaved beyond the jubilee year; I cannot be compelled to make full restitution." This would have subsidized crime....[33]

Exodus 22:3 may initially sound very much like Amendment 13's phrase "except as a punishment for crime whereof the party shall have been duly convicted." However, I could not find any instance in Constitutional America in which thieves were indentured to compensate their victims. On the other hand, we do have evidence that this Eighth Commandment statute was adjudicated in pre-Constitutional Colonial New England (although the restitution amount cited should have been either two or fourfold, depending upon whether the stolen items were still in the thief's possession):

When one Owen Jones was convicted "of stealing a rug and a coate from Phillip Keane valued at twenty six Shillings," the court ordered that he make threefold restitution and "in case hee make not Satisfaction accordingly that hee bee sold."[34]

What we have had in America since the ratification of the Constitution is state-approved and citizen-funded penitentiaries, which amount to slave labor camps. Prisoners are "employed" making boxes, stickers, mattresses, canned goods, textiles, license plates, road signs, and other various items, all to be sold on the open market. These prisoners are paid little or nothing. Their employer is the federal government, doing business as UNICOR (the trade name for Federal Prison Industries, Incorporated):

Under current law, all physically able inmates who are not a security risk or have a health exception are required to work, either for UNICOR or at some other prison job. Inmates earn from US$0.23 per hour up to a maximum of US$1.15 per hour, and all inmates with court-ordered financial obligations must use at least 50% of this UNICOR income to satisfy those debts.[35]

Despite the significant cost to taxpayers to house, feed, clothe, and entertain prisoners (not to mention the prisoners' wives and children who, without their principle wage earner, often end up on welfare), government propaganda claims these cut-rate wages provide a means for prisoners to pay their debt to society:

> In fact, the reverse is true: society (tax-payers) must finance the criminal's period of incarceration. ...[I]t is the State's bureaucratic functionaries who become the recipients of the tax money. The State, as the operational god of this age, receives its restitution payment. But in today's humanistic theocracy, victims receive nothing except subpoenas to testify in court and bills from the tax collector.[36]

UNICOR does not pay social security, unemployment benefits, worker's compensation, health insurance, pensions, holiday and vacation pay, or income tax on their profits. Additionally, UNICOR's low wages provide inequitable labor advantages to favored state-approved businesses with which other comparable free-market businesses (which pay their laborers at least the current federal minimum wage of $7.25 per hour) cannot fairly compete. UNICOR is essentially a government-created monopoly.[37]

The question we face is not whether we should allow slavery but whether we are going to choose counterproductive prison slavery, which must be paid for by United States citizens or productive Biblical slavery, which requires criminals to pay for their crimes by reimbursing their victims.

Americans are troubled about migrant workers, many of whom are in this country illegally and who, in many instances, are taking jobs away from natural-born citizens. However, many farmers and business owners rely upon illegal migrant laborers to do labor others will not do. Indentured servitude provides an answer to both sides of this dilemma. Shut down America's borders and put every unbiblically imprisoned thief to work in the fields, factories, highways, and other civic improvement projects until they have paid off their debt to their victims. If this were done, Americans would benefit in at least five ways: 1) victims would be reimbursed, 2) tax-subsidized prisons would be shut down, 3) illegal immigration would be reduced, 4) crime would be decreased, and 5) government-funded welfare would be dramatically reduced. It should be evident which slavery system is better for everyone involved.

Military Subjugated Servitude

Yahweh allowed the Israelites to take slaves from nations they subjugated in godly warfare:

> When thou comest nigh unto a city to fight against it, then proclaim peace unto it. And it shall be, if it make thee answer of peace, and open unto thee, then it shall be, that all the people that is found therein shall be tributaries [forced labor, NASB] unto thee, and they shall serve thee. And if it will make no peace with thee, but will make war against thee, then thou shalt besiege it: And when YHWH thy God hath delivered it into thine hands, thou shalt smite every male thereof with the edge of the sword: But the women, and the little ones, and the cattle, and all that is in the city, even all the spoil thereof, shalt thou take unto thyself.... Thus shalt thou do unto all the cities which are very far off from thee, which are not of the cities of these

nations. But of the cities of these people, which YHWH thy God doth give thee for an inheritance, thou shalt save alive nothing that breatheth: But thou shalt utterly destroy them; namely, the Hittites, and the Amorites, the Canaanites, and the Perizzites, the Hivites, and the Jebusites; as YHWH thy God hath commanded thee. (Deuteronomy 20:10-17)

Yahweh allowed for permanent slaves to be taken as spoils of war. These slaves are identified as property and could be inherited by one's children (Leviticus 25:44-46). Anyone inclined to be appalled at Yahweh's provision for such slavery should consider that complete annihilation was the only other option for a subjugated country. The Gibeonites in Joshua 9 understood this and offered themselves as permanent slaves to the Israelites as an alternative to genocide. Military subjugated servitude acts as a powerful deterrent against invasion by foreign nations.

Purchased Foreign Servitude

Both thy bondmen, and thy bondmaids, which thou shalt have, shall be of the heathen [goyim, nations] that are round about [encircle] you; of them shall ye buy bondmen and bondmaids. Moreover of the children of the strangers that do sojourn among you, of them shall ye buy, and of their families that are with you, which they begat in your land: and they shall be your possession. And ye shall take them as an inheritance for your children after you, to inherit them for a possession; they shall be your bondmen for ever.... (Leviticus 25:44-46)

Although this may initially seem to justify the early American slave trade, this provision must be harmonized with Yahweh's prohibition against kidnapping. The slaves described in Leviticus 25 were either non-Israelite prisoners of war from nearby nations sold to Israelites by others or non-Israelites who, because of financial impoverishment, sold themselves into permanent slavery.

Slavery and indentured servitude is regulated by stringent conditions:

- It is to be administered without severity – Leviticus 25:43, 46
- Flogging is permitted when required, but only with strict stipulations – Exodus 21:20-21, 26-27; Deuteronomy 24:14-15
- If a slave is maimed, he is to be set free – Exodus 21:26-27
- Slaves must be provided Sabbath rests – Exodus 20:9-11; Deuteronomy 5:13-15
- Fugitive slaves are not to be returned to masters (which dictates exceptional care of one's slaves; otherwise all slaves would continually attempt to escape) – Deuteronomy 23:15-16
- Masters are to rule as Yahweh does – Ephesians 6:9
- Masters are to treat their slaves justly in the fear of Yahweh – Colossians 4:1

Genesis 24:2, Proverbs 17:2, and 29:21 establish that some slaves had high positions in their master's household and that they sometimes shared in the family's inheritance.

Fugitive Slaves

Part of Article 4 reads, "No person held to service or labor in one state, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due." This provision was made obsolete by Amendment 13, but, for the period of time in which it was in effect, it was the antithesis of Deuteronomy 23:15-16, by which runaway foreign slaves were not to be returned to their masters. Article 4 legalized kidnapping.

Deuteronomy 23:15-16's decree that runaway slaves are not to be returned to their masters applies only to permanent slaves, not to those paying off debts or fulfilling judicial punishment. To skip out of voluntary indentured servitude would be a breach of contract, which, in turn, would be a form of theft that would result in involuntary servitude if punished. To run away from a judicially mandated judgment would be contempt of court, punishable by death.

Although Yahweh allows foreign slaves to be lifetime possessions, nothing in the Scriptures indicates anything but a minority of Israelites possessed such slaves:

> We know that large families are a sign of God's covenantal blessing (Ps. 127:3-5). The larger that Israel's families grew in response to the nation's covenantal faithfulness to God, the smaller each family's inherited land holding would become. This made it economically impossible for any branch of a family to amass a large number of heathen slaves during periods of God's covenantal blessings, for it was illegal to amass permanently the large tracts of land that were necessary for the support of slaves. Thus, at the beginning of each jubilee year, when all land holdings reverted to the heirs of the original land-owners, most heathen slaves would have been released by their owners, whether or not the law allowed them to retain ownership of them indefinitely.... Slavery very clearly was not supposed to become a major institution in Israel.[38]

Evangelism

Slavery also served to introduce slaves to Yahweh and His morality as found in His law. Exodus 12 afforded indentured servants and slaves to partake of Passover, so long as they were circumcised:

> And YHWH said unto Moses and Aaron, This is the ordinance of the passover: There shall no stranger eat thereof: But every man's servant that is bought for money [Leviticus 25:44-46], when thou hast circumcised him, then shall he eat thereof. (Exodus 12:43-44)

Covenant blessings were extended to proselytes from among non-Israelite slaves:

> Keep therefore the words of this covenant, and do them, that ye may prosper in all that ye do. Ye stand this day all of you before YHWH your God; your captains of your tribes, your elders, and your officers, with all the men of Israel, your little ones, your wives, and thy stranger that is in thy camp, from the hewer of thy wood unto the drawer of thy water: That thou shouldest enter into covenant with YHWH thy God, and into his oath, which YHWH thy God maketh with thee this day. (Deuteronomy 29:9-12)

The only opportunity some non-Israelites had to learn of Yahweh would have been through their enslavement. Better to have been a slave and learn of the living God than to have been free and serve idols.

New Covenant Slavery

> What the modern humanist dares not admit to himself or in public – and what embarrassed Christians also are fearful of admitting – is that the Bible's system of indentured servitude for criminals was and *still* is basic to the Bible's system of justice in which criminals are made legally *and economically* responsible for the harm they have caused.[39]

Yahweh's law on these matters has not changed. Although, the New Testament does not promote slavery and indentured servitude, it does endorse them. In 1 Corinthians 7, the

Apostle Paul declared that if a slave can manage to become free, it is good to do so; but he did not condemn slavery. How could he have condemned it when the Ninth Commandment protects slave ownership? Paul's entire letter to Philemon is devoted to Paul's returning Onesimus, a runaway slave, to his master Philemon, who was Onesimus' flesh and blood brother:

For perhaps he therefore departed for a season, that thou shouldest receive him for ever; not now as a servant [*doulos*, slave], but above a servant, a brother beloved, specially to me, but how much more unto thee, both in the flesh, and in the Lord?(Philemon 1:15-16)

That the Apostle Paul offered to pay Onesimus' debt in Philemon 1:18, is evidence that it was not permanent slavery to which Paul was returning Onesimus. Had it been Paul would have been guilty of violating Deuteronomy 23:15-16. Israelites, such as Philemon, were not permitted to permanently enslave fellow Israelites. Paul returned Onesimus (now a Christian) to Philemon to fulfill either a debt obligation or a judicial judgment. In either case, Philemon's enslavement of his brother would have been an act of mercy.

For anyone who believes that Bible-endorsed slavery ended with the New Covenant, the following requires an answer:

If the institution [of slavery] is the moral evil it is alleged to be ... if it is essentially a violation of basic human right and liberty, if slave-holding is the monstrosity claimed, it is, to say the least, very strange that the apostles who were so directly concerned with these evils did not overtly condemn the institution and require slave-holders to practice emancipation. If slavery per se is immorality and, because of its prevalence, was a rampant vice in the first century, we would be compelled to conclude that the high ethic of the New Testament would have issued its proscription. But this is not what we find.[40]

Nothing changed regarding slavery and indentured servitude under the New Covenant:

…let us see what the New Testament says concerning the relation of master and bondman. It does indeed command all, if they assume this relation, to fulfill it in a Christian spirit, in the fear of an impartial God. (Eph. vi. 9.) It also prohibits all unrighteous abuses of the relation, whether by masters (Col. iv. 1) or by bondmen. (Col. iii. 22-25.) Slave-holders, like the godly centurion (Luke vii. 2-9) and Cornelius (Acts x. 34, 35), are commended for their Christian consistency, without a word of caution or exception, on account of this relation. The Redeemer, in Luke xvii. 7-10, grounds his argument to prove that not even the truest Christian obedience can bring God in our debt, upon a logical analogy, whose very point is that the master is legally invested with a prior title to, and property in, the labor of his bondman.... The apostles enjoin on bondmen conscientious service to their masters, even when unjust (1 Pet. ii. 18, 19); but so much the more willing and conscientious when those masters are brother members in the Christian church. (1 Tim. vi. 1, 2). The Apostle Paul holds that, if masters do their duty, the relation may be lawfully continued, and is just and equitable. The Apostle Paul remands a fugitive slave to his master Philemon.... And so distinctly does he recognize Philemon's lawful property in the ... labor of his fugitive slave that he actually binds himself, in writing, to pay its pecuniary value himself, that thereby he may gain free forgiveness for Onesimus. In 1 Tim. vi. 3-5, the apostle condemns such as would dare to dispute the righteous obligation of even Christian bondmen, as proud, ignorant, perverse, contentious, untruthful, corrupt in mind and mercenary; and he requires believers to separate themselves from such teachers.[41]

Draft Slavery

Although constitutional courts[42] have refused to recognize the draft as indentured servitude, forced military conscription is precisely that. Ask any drafted soldier whether he belongs to himself or to Uncle Sam.

Debt Slavery

Another unlawful type of slavery, legalized, in part, by Article 1, involves debt obligations and unlawful taxation:

The rich ruleth over the poor, and the borrower is servant [slave, NASB] to the lender. (Proverbs 22:7)

Shackled with both national and private debt (via the Federal Reserve, fiat "money," usury banking, and income and property taxes), all United States citizens are, in fact, slaves:

Wars in old times were made to get slaves. The modern implement of imposing slavery is debt.[43]

When the Africans were freed, they went from private slaves to federal slaves. With combined taxation presently at an approximate national average of 51%, it might be argued they had more freedom before 1865:

Those four million slaves of the mid-1880s were "privately owned," forced to labor on private plantations. Today's slaves are "federally owned"; they labor on government plantations.... Each of us is made part slave and each of us is left part free. That way we can live in our "own" home, work at our "own" job, attend our "own" church, and even go bowling on Friday nights ... as long as we render unto Caesar that which he demands. Such a convenient arrangement should not blind us to the fact that involuntary servitude is being forced upon citizens by excessive government spending.[44]

Spiritual Slavery

Psalm 123 compares our relationship with Yahweh as that of a servant to his master:

Behold, as the eyes of servants look unto the hand of their masters, and as the eyes of a maiden unto the hand of her mistress; so our eyes wait upon YHWH our God.... (Psalm 123:2)

All men are spiritual slaves. The question is to whom or what?

If men refuse to place themselves under God and God's required law-order for society, then they will inevitably place themselves in bondage to someone other than God.... Man cannot achieve freedom by rebelling against God and His law. We must begin our journey on the road from serfdom by placing ourselves under covenantal bondage to the God of liberation. We must seek to become passive toward God and active over His creation (Gen. 1:26-28). The only alternative to this unqualified ethical subordination to God is to become passive toward something or someone else – other men (tyranny), demonic spirits (occultism, mysticism), some aspect of nature (environmental determinism), the "cunning of history" (Hegel), "inevitable social forces" (Marx), the "unconscious" (Freud), alcohol or drugs, or even outright madness.[45]

Every man is a slave, either to sin or to righteousness (Romans 6:11-23, Ephesians 6:6). No one can be enslaved to two masters at one time, unless one master is subordinate to the other master. This is one reason we can make no halfway covenants with Yahweh, including what's identified as Christian Constitutionalism. He demands our entire allegiance:

And he said to them all, If any man will come after me, let him deny himself, and take up his cross daily, and follow me. (Luke 9:23)

Christians cannot entertain two different and antithetical covenants – one that advances a government of, by, and for Yahweh and one that advances a government of, by, and for WE THE PEOPLE.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. Exodus 33:16; Leviticus 20:24-26; Numbers 23:9; Deuteronomy 32:8; 1 Kings 8:51-53; Nehemiah 9:2, 10:28-29; Hosea 7:8-9; Acts 17:26, 2 Corinthians 6:14-18, etc. For a more thorough explanation regarding the Biblical injunctions against interracial integration, multiculturalism, and miscegenation, "The Seventh Commandment" may be read online, or the book *Thou shalt not commit adultery* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $6 donation.*

2. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

3. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

4. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book Baptism: All You Wanted to Know and More may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

5. Religions of the United States, http://en.wikipedia.org/wiki/File:Religions_of_the_United_States.png.

6. Cheryl Russell, "Most Americans Claim Religious Affiliation," *The Official Guide to the American Marketplace* (Ithaca, NY: New Strategist Publications, Inc., 1995) p. 252.

7. Martin E. Marty, quoted in Tom Heinen, "Scholar sees strength in abundance of faiths," *Milwaukee Journal Sentinel*, 26 April 1999.

8. For an explanation regarding Hebrew 8:8-9's relationship to European Christianity, _The Mystery of the Gentiles: Who Are They and Where Are They Now_? may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

9. Rousas Joh Rushdoony, *Law and Society* (Vallecito, CA: Ross House Books, 1982) pp. 83-84.

10. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book _Thou shalt not take the name of YHWH thy God in vain_ may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

11. Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: Institute for Christian Economics, 1990/1997) p. 179.

12. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) pp. 256-57.

13. Emanuel McLittle, "Mixed Up: The Case Against Interracial Marriage: A Black Speaks Out Against Interracial Marriage," 26 January 1999.

14. "Bone Marrow Donor disparities Reveal Reality of Race Once Again," 23 June 2010, *BNP News*, http://www.bnp.org.uk/news/bone-marrow-donor-disparities-reveal-reality-race-once-again.

15. Dennis Woods, *Discipling the Nations*: *The Government Upon His Shoulder* (Franklin, TN: Legacy Communications, 1996) pp. 164-65.

16. Senator Jim Webb, "Why We Must Fix Our Prisons," *Parade*, 29 March 2009, http://www.parade.com/news/2009/03/why-we-must-fix-our-prisons.html.

17. Phillip G. Kayser, *Is the Death Penalty Just*? (Omaha, NE: Biblical Blueprints: 2007/2009) p. 1.

18. Lois G. Forer, *Criminals and Victims*: *A Trial Judge Reflects on Crime and Punishment* (New York, NY: Norton, 1980) pp. 77-78, quoted in Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: Institute for Christian Economics, 1990/1997) p. 1167.

19. Wilmot Robertson, *The Dispossessed Majority* (Cape Canaveral, FL: Howard Allen Enterprises, 1972) p. 426.

20. Rushdoony, *Law and Society*, p. 32.

21. North, p. 46.

22. _Prisons: Shut Them All Down!_ may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $3 donation.*

23. Benjamin Rush, *Minutes of the Proceedings of a Convention of Delegates from the Abolition Societies Established in Different Parts of the United States Assembled at Philadelphia*(Philadelphia, PA: Zachariah Poulson, 1794) p. 24, quoted in David Barton, *Original Intent*: *The Courts*, *the Constitution*, *& Religion* (Aledo, TX: WallBuilders, 1996/2005) p. 293.

24. Benjamin Rush, “An Enquiry into the Effects of Public Punishments Upon Criminals, and Upon Society,” read in the Society for Promoting Political Inquiries, convened at the house of His Excellency, Benjamin Franklin, Esquire, in Philadelphia, March 9, 1787, http://english2.byu.edu/facultysyllabi/KLawrence/RUSH.punishments.pdf.

25. Noah Webster, *Effect of Slavery on Morals and Industry* (Harford, CT: Hudson and Goodwin, 1793) p. 48, quoted in David Barton, *Original Intent*: *The Courts*, *the Constitution*, *& Religion*(Aledo, TX: WallBuilders, 1996/2005) p. 293.

26. Dr. Robert L. Dabney, *Anti*,*-Biblical Theories of Rights*, which first appeared in the *Presbyterian Quarterly*, July 1888, (Hueytown, AL: Society for Biblical and Southern Studies, 1998) pp. 22-23.

27. North, p. 221.

28. Ibid., p. 127.

29. Ibid., p. 137.

30. Thomas Williamson, “Lessons From the Old Testament Institution of Debt Slavery,” quoted in *The Biblical Examiner*, June 2010.

31. North, p. 128.

32. See Chapter Seventeen “Amendment 8: Bail, Fines, and Cruel and Unusual Punishments?” for an explanation regarding the two to five times restitution requirements and their modern applications.

33. North, p. 134.

34. *Suffolk Court Records*, 631, quoted in Edmund S. Morgan, *The Puritan Family* (New York, NY: Harper & Row, Publishers, 1966) p. 111, quoted in Dennis Woods, *Discipling the Nations*: *the Government Upon His Shoulder* (Franklin, TN: Legacy Communications, 1996) p. 162.

35. “Federal Prison Industries, Inc.,” http://en.wikipedia.org/wiki/Federal_Prison_Industries,_Inc.

36. North, p. 119.

37. See Chapter Four, “Article 1: Legislative Usurpation” for additional information regarding unbiblical monopolies.

38. North, pp. 141-142.

39. North, p. 120.

40. John Murray, *Principles of Conduct* (Grand Rapids, MI: Eerdmans, 1957) p. 94, quoted in Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: Institute for Christian Economics, 1990/1997) p. 187.

41. Dabney, pp. 24-26.

42. *Selective Draft Law Cases*, 245 U.S. 366 (1918).

43. Ezra Pound (1885-1972), *Ezra Pound Quotes*, http://quotes.liberty-tree.ca/quotes_by/ezra+pound.

44. Rus Walton, *One Nation Under God* (Old Tappan, NJ: Fleming H. Revell Company, 1975) p. 215.

45. North, p. 155.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 23
Amendment 14: First-Birth vs. Second-Birth Citizenship

Section 1

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the law.

Constitutionality

The Fourteenth Amendment, the second of three postbellum reconstruction amendments, was adopted on July 9, 1868. The first thing usually heard from the patriot community regarding the Fourteenth Amendment is that it was never constitutionally ratified. While this appears to be true, the patriot community needs to recognize their dissent has made no difference whatsoever and it never will. Because all the States have now accepted the Fourteenth Amendment, it is, for all practical purposes, constitutional:

…by 2003, the amendment had been ratified by all of the 37 states that were in the Union in 1868.[1]

We are saddled with the Fourteenth Amendment (and the rest of the United States Constitution) until we get rid of it on *Biblical terms*. If you are a Christian,[2] your concern should not be whether or not this Amendment was constitutionally ratified, but whether or not it is Biblical. If it is not Biblical, does it even matter whether it is constitutional?

Citizenship

Section 1, cited in more judicial decisions than any other section of the Constitution, provides the Constitution's definition for citizenship. It was specifically intended to provide citizenship to the African slaves freed by Amendment 13:

The Civil Rights Act of 1866 had already granted U.S. citizenship to all persons born in the United States; the framers of the Fourteenth Amendment added this principle into the Constitution to prevent the Supreme Court from ruling the Civil Rights Act of 1866 to be unconstitutional for lack of congressional authority to enact such a law or a future Congress from altering it by a mere majority vote.[3]

The Fourteenth Amendment made citizenship contingent upon birth or naturalization instead of a person's profession of Christianity:

Humanists have written civil covenants (constitutions) that make citizenship the product of physical birth or of a State adoption ("naturalized citizenship") rather than citizenship by ritual subordination to the God of the Bible.[4]

This contingency contrasts with that of 17th-century America. In the Massachusetts Bay Colony, for example, an adult male became a citizen of the Colony by covenant with the church, by profession of faith in Jesus,[5] His blood-atoning sacrifice, and resurrection from the grave. The Puritans' earthly citizenship was indistinguishable from their heavenly citizenship:

> In 1637 the General Court passed an order prohibiting anyone from settling within the colony without first having his orthodoxy approved by the magistrates.... Here was a community formed by free consent of its members. Why should they not exclude dangerous men, or men with dangerous thoughts.[6]
>
> …no one could be a "freeman" of the colony unless he had been admitted to the church. And only "freemen" could vote or hold office.[7]

Gary North clarifies that "without formal church membership, he was merely a town resident, not a citizen."[8] It was the same in New Haven, Connecticut:

> In June of 1639 the leading men of New Haven held a convention in a barn, and formally adopted the Bible as the constitution of the State.... None but church members were admitted to the rights of citizenship.[9]

This was also known as citizenship by covenant:

> In Biblical law, neither equalitarianism nor an oligarchy have any standing. God as the source of law established the covenant as the principle of citizenship. Only those within the covenant are citizens. The covenant is restrictive in terms of God's law.... The throne being the ark in the tabernacle, and the tabernacle being also the central place of atonement, membership in the nation-civil and in the nation-ecclesiastical were one and the same. Citizenship rested on faith. Apostasy was treason. The believing alien had some kind of access to the sanctuary (II Chron. 6:32-33), at least for prayer, but this act did not give him citizenship ... there is *no* equalitarianism here. There is an obvious discrimination and distinction made which no straining can eliminate....
>
> …Equalitarianism is a modern politico-religious concept: it did not exist in the Biblical world, and it cannot with any honesty be forced onto Biblical law. Equalitarianism is a product of humanism, of the worship of a new idol, man, and a new image carved out of man's imagination. As a standard in religion, politics, and economics it is a product of the modern era; to read it into the Biblical faith is to do violence to Scripture and to be guilty of dishonesty.[10]

The Apostle Paul validates this covenantal, tribal citizenship:

> …my brethren, my kinsmen according to the flesh: Who are Israelites; to whom pertaineth the adoption, and the glory, and the covenants, and the giving of the law, and the service of God, and the promises. (Romans 9:3-4)[11]

Citizenship by birth is further evidence that the United States Constitutional Republic is different from the form of government established in the Bible and in 17th-century America. Biblical and 17th-century American citizenship was based upon a person's second or spiritual birth.[12] The second birth is not only the means to full-fledged New Covenant kingdom citizenship, it is also foundational to leadership in Yahweh's[13] government. (See Chapter Five "Article 2: Executive Usurpation" for a list of Biblical leadership qualifications.)

Dual Citizenship

Although the Apostle Paul (being "wise as serpents," Matthew 10:16) took advantage of his Roman citizenship in some ticklish situations, dual citizenship in discordant kingdoms inevitably leads to a choice of one kingdom over the other, which is equivalent to a choice of one king over another:

[Pilate] saith unto the Jews, Behold your King! But they cried out, Away with him, away with him, crucify him. Pilate saith unto them, Shall I crucify your King? The chief priest answered, We have no king but Caesar. (John 19:14-15)

Most Constitutionalists choose the Constitution over the Bible as the supreme law of the land. Most Christian Constitutionalists would likely object to that statement. However, that this is, in fact, true, is demonstrated by their refusal to condemn the Constitution as antithetical to Yahweh's morality as found in His law. Yahweh expects our loyalty to Him and to His kingdom, and therefore only to governments that represent His kingdom and His law here on earth (a description that fits neither the government today nor the Constitutional Republic of the late 18th century).

In Matthew 7:21-23, the will of God is contrasted with *anomia* (lawlessness, "iniquity" in the KJV). For any man or group of men to fulfill their commission as Yahweh's ambassadors, they must individually and corporately pursue Yahweh's kingdom laws.

For many walk, of whom I often told you, and now tell you even weeping, that they are enemies of the cross of Christ, whose end is destruction, whose god is their appetite, and whose glory is in their shame, who set their minds on earthly things. For our citizenship is in heaven…. (Philippians 3:18-20, NASB)

Although our citizenship is in the heavenly kingdom from where our King reigns over heaven and earth, our heavenly citizenship requires we pursue and advance His kingdom *here on earth*.

Thou therefore endure hardness, as a good soldier of Jesus Christ. No man that warreth entangleth himself with the affairs of this life; that he may please him who hath chosen him to be a soldier. (2 Timothy 2:3-4)

Any government that is not an extension of Yahweh's government and does not endorse His commandments, statutes, and judgments as the supreme law of the land is a competing and hostile kingdom that does not deserve our allegiance.

Ye adulterers and adulteresses, know ye not that the friendship of the world is enmity with God? Whosoever therefore will be a friend of the world is the enemy of God. (James 4:4)

The previous three passages are often misinterpreted as authorizing and even encouraging Christians to opt out of government and other earthly affairs. Through such misguided and dangerous teachings, Christians have lost dominion. The three previous passages promote our King's kingdom instead of man's kingdoms. Citizenship in heaven, as depicted by Paul in Philippians 3:20, is not meant to remove Christians from civil involvement. Paul was describing a citizenship in the kingdom *of* heaven that is put into action here *on* earth. Christians are supposed to be Yahweh's ambassadors (2 Corinthians 5:20), who represent, promote, and advance His kingdom (2 Corinthians 10:4-6) here and now. (See Chapter 2 "The

Kingdom: Yesterday, Today, and Forever" for the Scriptural evidence demonstrating Yahweh's kingdom is extant here on earth.)

Jurisdiction

Citizenship is ultimately determined by the laws a person keeps (Matthew 7:21-23), and is therefore demonstrated by the jurisdiction to which he ultimately submits:

> Citizenship, of course, does not exist by nature; it is created by law, and the identification of citizens has always been considered an essential aspect of sovereignty…. Although the Constitution of 1787 mentioned citizens, it did not define citizenship. It was in 1868 that a definition of citizenship entered the Constitution, with the ratification of the Fourteenth Amendment. …[T]here are two components to American citizenship: birth or naturalization in the U.S. and being subject to the jurisdiction of the U.S. …[D]uring debate over the amendment, Senator Jacob Howard of Ohio, the author of the citizenship clause, attempted to assure skeptical colleagues that the new language was not intended to make Indians citizens of the U.S. Indians, Howard conceded, were born within the nation's geographical limits; but he steadfastly maintained that they were not subject to its jurisdiction because they owed allegiance to their tribes. Senator Lyman Trumbull, chairman of the Senate Judiciary Committee, rose to support his colleague, arguing that "subject to the jurisdiction thereof" meant "not owing allegiance to anybody else and being subject to the complete jurisdiction of the United States." Jurisdiction understood as allegiance, Senator Howard interjected, excludes not only Indians but "persons born in the United States who are foreigners, aliens, [or] who belong to the families of ambassadors or foreign ministers." Thus "subject to the jurisdiction" does not simply mean, as is commonly thought today, subject to American laws or American courts. It means owing exclusive political allegiance to the U.S.[14]

Exclusive allegiance applies as much, in fact more, to citizenship in Yahweh's kingdom as it does to the United States. While tenaciously defending one's loyalty to Yahweh, selective allegiance can and should be applied to any government in power wherever it is in compliance with or not antagonistic to Yahweh's law. Romans 12:18 instructs us that "if possible, so far as it depends upon [us], be at peace with all men."

Due Process of Law

Although Amendment 14 prohibits the United States government from depriving its citizens of life, liberty, and property *without* due process of "law," this clause allows government to deprive its citizens of life, liberty, and property *by* due process of "law." Yahweh's law allows Biblical government to deprive a person of his life and liberty – but not his property. All the earth belongs to Yahweh and He has given man stewardship over it. However, He never allows the land in man's possession to be permanently sold (or confiscated):

> The land shall not be sold for ever: for the land is mine…. (Leviticus 25:23)

Under Yahweh's law, all leased land was to be returned to its rightful earthly owners every fifty years:

> In the year of this jubilee ye shall return every man unto his possession. (Leviticus 25:13)

Because taxation demonstrates ownership, Yahweh's law does not allow government to tax and thereby confiscate land. Conversely, Amendment 14 empowers the Constitutional Republic to confiscate private land when, among other reasons, property taxes are not paid. The Fourteenth Amendment retroactively legalized King Ahab's theft of Naboth's vineyard (1

Kings 21:1-16). The only difference between King Ahab and today's government is that the Constitutional Republic does so on a comprehensive scale.

Under America's current ungodly tax system, land "owners" are merely temporary tenants. This is made abundantly clear in Senate Document 43 of the Congressional Record of the 73rd Congress:

The ultimate ownership of all property is in the State; individual so-called "ownership" is only by virtue of Government, i.e., law, amounting to mere user; and that use must be in accordance with law and subordinate to the necessities of the State.

Senate Document 43, Page 9, April 1933

Senate Document 43 sounds all too similar to another government's immoral land laws:

Abolition of property in land and application of all rents of land to public purposes.

Communist Manifesto, Plank Number 1, 1848

The land, its mineral wealth, waters, forests … are state property….

Article 6, Constitution of the USSR, 1936

(See Chapter Twenty-Five "Amendment 16: Graduated Income Tax vs. Flat Increase Tax" for additional information regarding the unbiblical nature of property taxes.)

State-Mandated Polytheism

In several cases, the Supreme Court has employed the Due Process Clause and applied most of the "privileges or immunities" enumerated in the Bill of Rights, including the First Amendment's prohibition against any favored religion, to the individual States. David Barton explains:

In *Everson* [v. *Board of Education*, 330 U.S. 1 (1947)], the Court took the Fourteenth Amendment (which dealt with specific State powers) and attached to it the First Amendment's federal provision that "congress shall make no law respecting an establishment of religion." The result of merging these two Amendments was twofold: first, the court reversed the bedrock constitutional demand that the First Amendment pertain only to the federal government; second, the court declared that federal courts were now empowered to restrict not only the religious activities of the federal government but also those of States and individuals as well.[15]

Thanks to the Fourteenth Amendment, all fifty States are now as polytheistic as the federal government. Many States were officially polytheistic long before the Fourteenth Amendment was ratified.[16] Returning to the Articles of Confederation is no more a solution to America's polytheistic state than is returning to a purer form of constitutionalism. Because none of the States have ever upheld the First Commandment ("Thou shalt have no other gods besides me.") nor prosecuted its offenders, they were all polytheistic *in practice* long before 1868. (See Chapter Eleven "Government-Sanctioned Polytheism" for additional information regarding the Constitution's promotion of polytheism.) Gregg Singer commented upon the woeful effects of merging the Fourteenth and First Amendments:

It was this process of enlarging the scope of the Fourteenth Amendment and reducing the power of the Tenth Amendment which laid the foundation for the alleged power of the courts to re-interpret the rights of the states in the areas of religion in the schools, capital punishment, abortion, and related matters.[17]

Barton's and Singer's concerns are well-founded. However, their concerns do not change the fact that *Everson* and similar Supreme Court decisions are now, in effect, constitutional law, made so by constitutional judiciaries. These decisions are unlikely to be overturned. In *Abington School District v. Schempp*, the Supreme "court … decisively settled that the First Amendment's mandate that 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof' has been made wholly applicable to the States by the Fourteenth Amendment.… The Fourteenth Amendment has rendered the legislatures of the States as incompetent as Congress to enact such laws."[18] Our only option to defeat the Fourteenth Amendment and the Supreme Court's abuse is to replace the entire Constitution with Yahweh's perfect law.

Infanticide

In *Griswold v. Connecticut* (1965), the Due Process Clause was employed to ensure the right of married couples to use birth-control devices, most of which are infanticidal. It was also cited by Justice Harry Blackmun in *Roe v. Wade* (1973), which legalized infanticide:

> …right of privacy, whether it be founded in the Fourteenth Amendment's concept of personal liberty and restrictions upon state action, as we feel it is, or, as the District Court determined, in the Ninth Amendment's reservation of rights to the people, is broad enough to encompass a woman's decision whether or not to terminate her pregnancy.[19]

In his concurring statement, Justice Potter Stewart also referred to the Fourteenth Amendment:

> Clearly, therefore, the Court today is correct in holding that the right asserted by Jane Roe is embraced within the personal liberty protected by the Due Process Clause of the Fourteenth Amendment.[20]

Nothing better demonstrates the outrageous and ungodly nature of the Constitution better than the Fourteenth Amendment. Instead of the Equal Protection Clause defending the life of the unborn, the Due Process Clause has been employed to justify their murder. Infanticide was made legal by constitutional law in a constitutional court. This could not have occurred were we living by Yahweh's law. If right to life organizations truly hope to completely rid America of her infanticide mills, they need to work toward replacing the Constitution with Yahweh's law.

Constitutionalists do not have the liberty to pick and choose which constitutional laws they support. If you promote the Constitution, its three branches of government, and its amendment process, you must take all of it, including the Fourteenth Amendment and its extant judicial decisions, such as *Roe v. Wade*. To promote the Constitution is to promote infanticide.

Equal Protection Under the Law

Amendment 14's Equal Protection Clause became the means by which the Supreme Court, in *Brown v. Board of Education* (1954), dismantled racial segregation in the United States:

> The Civil Rights Act of 1964 made it illegal to discriminate on the basis of race, gender, or ethnicity in "public accommodations," such as restaurants, hotels, and theaters, even though these businesses might be owned privately. Prior to 1964, prevailing law held that the owner of a business had the right to serve whom he chose….[21]

Collective racial rights now trump personal privacy rights. Fox News analyst John Stossel stated the government went too far in *Brown v. Board of Education*:

> I said this: "Private businesses ought to get to discriminate…." Individuals should be surrounded by a sphere of privacy where government does not intrude. Part of the Civil Rights Act violates freedom of association. That's why I told Fox's Megyn Kelly, "It's time now to repeal that part of the law." America's fundamental political philosophy has deteriorated quite a bit if we can't distinguish between government and private conduct….
>
> I just don't trust government to decide what discrimination is acceptable…. Today, because of government antidiscrimination policy, all-women gyms are sued and forced to admit men … and a Christian wedding photographer is fined thousands of dollars for refusing to take photos of a homosexual wedding.[22]

Integration vs. Segregation

Amendment 14 overturned *Dred Scott v. Sandford* (1857), which held that people of Negro descent were not entitled to United States citizenship or constitutional rights:

> They [Africans] are not included, and were not intended to be included, under the word "citizens" in the Constitution, and can therefore claim none of the rights and privileges which the instrument provides and secures to citizens of the United States….[23]

This decision agreed with the constitutional position found in The Naturalization Act of 1795, enacted by the First Federal Congress of the United States of America:

> BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, that any alien, being a free white person, may be admitted to become a citizen of the United States, or any of them….[24]

Both *Dred Scott* and this early act of Congress agreed with Yahweh's law, but because they did not acknowledge Yahweh's law as their source and authority, they were nothing more than the opinions of man. Consequently, they were easily overturned by subsequent man-made judicial decisions.

Since *Brown v. Board of Education*, most people have been convinced that integration is a good thing, but this only further proves America's departure from Yahweh's law. Being politically correct has become more expedient than being Biblically correct – even to those who claim to be pronomians. The following passages demonstrate Yahweh intends His people to live separately:

> When the most High divided to the nations their inheritance, when he separated the sons of Adam, he set the bounds of the people according to the number of the children of Israel. (Deuteronomy 32:8)

And [Yahweh] hath made of one blood all nations of men for to dwell on all the face of the earth, and hath determined the times before appointed, and the bounds of their habitation. (Acts 17:26)

See also Exodus 33:16, Leviticus 20:24, Numbers 23:9, Deuteronomy 33:28, 1 Kings 8:51-53, Ezra 9:1-2, and Nehemiah 9:2.

Resident aliens (foreign slaves, etc.) and temporary foreign sojourners (immigrant laborers, etc.) are two exceptions to this important First and Seventh Commandment statute. (See Chapter Twenty-Two“Amendment 13: Constitutional Slavery” for additional information regarding Biblical slavery versus constitutional slavery.) Open borders are oxymoronic as well as unbiblical. Most of America’s current immigration regulations are also Biblically unlawful. The Prophet Hosea described one of the consequences of unbiblical integration:

Ephraim, he hath mixed himself among the people.... Strangers have devoured his strength, and he knoweth it not.... (Hosea 7:8-9)

Hosea 7 might just as easily have been written about America. Egalitarians (non-Christians and Christians alike) would have us believe integration (which always results in pluralistic multiculturalism) is a good thing. However, the integration of Israel with other nations was a judgment from Yahweh, not a reward:

If thou wilt not observe to do all the words of this law that are written in this book ... it shall come to pass, that ... YHWH[25] shall scatter [integrate] thee among all people, from the one end of the earth even unto the other; and there thou shalt serve other gods.... (Deuteronomy 28:58-64)

Therefore thou [Yahweh] hast forsaken thy people the house of Jacob, because ... they please themselves in the children of strangers. (Isaiah 2:6)

The consequences of breaking Yahweh’s laws do not change. R.J. Rushdoony pointed out one of those consequences:

Segregation or separation is thus a basic principle of Biblical law with respect to religion and morality. Every attempt to destroy this principle is an effort to reduce society to its lowest common denominator.[26]

Rushdoony’s comments regarding civil rights groups are also apropos:

The law has often been used as an ostensible weapon to gain equality, but such attempts represent either self-deception or an attempt to deceive by the group in power. The “civil rights” revolutionary groups are a case in point. Their goal is not equality but power. The background of Negro culture is African and magic, and the purposes of magic are control and power over God, man, nature, and society.[27]

This “power drive” is also evident in the Hispanic anti-American La Raza (The Race) movement. The same is true of Islam, which has all but taken over Europe and has an ever increasing stronghold in America.

At the time the Fourteenth Amendment was added to the Constitution, segregation was commonplace. “The gallery of the U.S. Senate was itself segregated by race during the debate of the Equal Protection Clause.”[28] Twenty-eight years after the ratification of the Fourteenth

Amendment and fifty-eight years before *Brown v. Board of Education*, the Supreme Court, in *Plessy v. Ferguson*(1896), ruled that State-mandated segregation did not violate the Fourteenth Amendment's Equal Protection Clause and that the States could enforce segregation, provided similar facilities were afforded people of different races. This "separate but equal" doctrine was more Biblically compatible than was *Brown v. Board of Education*. But today's politically correct, racially sensitive society would be aghast if such "racist and hateful" legislation were proposed today. It would be well for anyone so inclined to consider the following from the *Plessy* court:

> We consider the underlying fallacy of the plaintiff's argument to consist in the assumption that the enforced separation of the two races stamps the colored race with a badge of inferiority. If this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it.
>
> …Legislation is powerless to eradicate racial instincts or to abolish distinctions based upon physical differences, and the attempt to do so can only result in accentuating the difficulties of the present situation.[29]

Although Section 1's provision for equal citizenship (and thus unrestricted racial integration at all levels of society) is not Biblical, its stipulation for equal protection is Biblical:

> God's law has established the foundational principle of all civil rights: *one civil law code for all residents*. Not just one law for all *citizens*; one law for all *residents*. This is what distinguished ancient Israel from all … pagan societies. Pagan societies did not give non-citizens full legal access to their civil courts. Strangers therefore had no civil rights.… In Israel, everyone had equal access to the civil courts, for everyone was under the same civil law.… But the concomitant to this extraordinary civil liberty was *political discrimination*: the resident alien could not … serve as a civil judge [or own land permanently inside the nation[30]].[31]

Yahweh demands judicial equity for Israelites and non-Israelites alike:

> And I charged your judges at that time, saying, Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. Ye shall not respect persons in judgment.… (Deuteronomy 1:16-17)

See also Exodus 12:49, 20:10; Leviticus 16:29-30, 18:26, 20:2, 24:16-22; Numbers 15:15-16, 29-30, 35:15; and Deuteronomy 27:19. These magnanimous laws were an exception to how other nations treated strangers living among them:

> The principle of equal justice was not universally practiced in the ancient Near East. In the code of Hammurabi and other Mesopotamian legal traditions, for example, people are classified as priests, citizens, two lower-class groups (*mushkenum* and *khupshu*), and slaves. Penalties for the same crime differed depending on one's social or class status. Furthermore, aliens are not even mentioned as a legally protected group of individuals in the law codes.[32]

Equal justice under Yahweh's law requires non-Israelites residing or sojourning in Israel's land to be taught Yahweh's law:

> When all Israel is come to appear before YHWH thy God in the place which he shall choose, thou shalt read this law before all Israel in their hearing. Gather the people together, men, and women, and children, and thy stranger that is within thy gates, that they may hear, and that

they may learn, and fear YHWH your God, and observe to do all the words of this law. And that their children, which have not known any thing, may hear, and learn to fear YHWH your God…. (Deuteronomy 31:11-13)

See also Joshua 8:30-35. Teaching Yahweh's laws to strangers made them accountable to them while living in or visiting Israel's land.

Although Yahweh's law provides for equal *justice* under His law, there are exceptions to equal *application*: Deuteronomy 15:3 excludes non-resident foreigners from the sabbatical year release; Deuteronomy 17:15 prohibits non-Israelites from ruling over Israelites; Deuteronomy 23:20 permits usury loans to non-Israelites; and Leviticus 25:44-46 provisionally allows non-Israelites to be taken as permanent slaves.

Biblical Discrimination

Equal justice and equal status are not the same thing. That Yahweh chose one people above others is made clear throughout the Bible. Among other endearing terms, the Israelites are identified as Yahweh's inheritance and the apple of His eye:

For YHWH's portion is his people; Jacob is the lot of his inheritance. …[H]e led him about, he instructed him, he kept him as the apple of his eye. (Deuteronomy 32:9-10)

Yahweh's special relationship with the nation of Israel is made especially clear in the passages that identify the Israelites as His special treasure and possession:

For thou art an holy people unto YHWH thy God: YHWH thy God hath chosen thee to be a special people unto himself, above all people that are upon the face of the earth. (Deuteronomy 7:6)

See also Exodus 19:5-6; Deuteronomy 14:2, 26:18-19; 2 Samuel 7:23-24; and Psalm 135:4. These passages describe Yahweh's marital relationship with the Israelites:

And YHWH said … Israel … I am married unto you…. (Jeremiah 3:11-14)

Exodus 19:5-6 is Yahweh's marriage proposal to the nation of Israel. (See Chapter Two "The Kingdom: Yesterday, Today, and Forever" for a more thorough discussion of Yahweh's marriage to the nation of Israel under the Old Covenant and a remnant of Israel under the New Covenant.) Rushdoony explains this favored status:

The principle of "one law" for all is basic to Biblical law. On the other hand, there is a definite partiality to the Biblical law. In instances too numerous to cite, God "intervenes" in history to overthrow the enemies of His covenant people; the weather is used, plague is used, and a variety of means, from the plagues against Egypt on. Moreover, the law as given to Israel is partial in that it protects an order, God's law-order, and the people of that order.[33]

That "there is a definite partiality to the Biblical law" is established throughout the Bible, particularly in the following passages:

Moses commanded us a law, even the inheritance of the congregation of Jacob. (Deuteronomy 33:4)

He [Yahweh] sheweth his word unto Jacob, his statutes and his judgments unto Israel. He hath not dealt so with any nation: and as for his judgments, they have not known them. Praise ye YH. (Psalm 147:19-20)

…my kinsmen according to the flesh: Who are Israelites; to whom pertaineth the adoption, and the glory, and the covenants, and the giving of the law…. (Romans 9:3-4)

This is just as true for a redeemed remnant of physical Israelites under the New Covenant:

Behold, the days come, saith YHWH, that I will make a new covenant with the house of Israel, and with the house of Judah: Not according to the covenant that I made with their fathers in the day that I took them by the hand to bring them out of the land of Egypt; which my covenant they brake, although I was an husband unto them, saith YHWH. But this shall be the covenant that I will make with the house of Israel; After those days, saith YHWH, I will put my law in their inward parts, and write it in their hearts; and will be their God, and they shall be my people. (Jeremiah 31:31-33)

The New Covenant was Yahweh's means of fulfilling the prophecies (Isaiah 62:2-4; Hosea 1 and 2, etc.) in which He promised to remarry a remnant of physical Israel (Isaiah 10:20-22, 11:11, 16; Romans 9:25-27, 11:5; etc.). To change the recipients of these prophecies under the New Covenant effectively makes Yahweh a liar. Yahweh's election of one people for this special relationship does not nullify it as an act of grace. The claim that Hebrews 8:8-10 is racist is baseless. Yahweh's New Covenant with Israel is a covenant of grace:

Even when we were dead in sins, hath quickened us together with Christ, (by grace ye are saved;) and hath raised us up together, and made us sit together in heavenly places in Christ Jesus: That in the ages to come he might shew the exceeding riches of his grace in his kindness toward us through Christ Jesus. For by grace are ye saved through faith; and that not of yourselves: it is the gift of God: Not of works, lest any man should boast. (Ephesians 2:5-9)

The *ethne* (Greek for "nations" or "peoples"; poorly translated "Gentiles") in Ephesians 2:11 are often misidentified as non-Israelites. Most people are unaware that Ephesians 2 is a fulfillment of several Old Testament prophecies regarding the reunion of the house of Israel with the house of Judah through Jesus' blood-atoning sacrifice and resurrection from the grave.[34]

Equal justice under Yahweh's law is not the same as equal status under the law, particularly as it pertains to citizenship and ecclesiastical and civil leadership. (See Chapter Twenty-Four"Amendment 15: Colorblind Voting" for a more thorough explanation regarding civil leadership.)

Identifying Israel

Few people recognize that, like the Old Covenant, the New Covenant was made exclusively with physical descendants of the two houses of the nation of Israel:

…Behold the days come [quoted from Jeremiah 31:31-33 when the New Covenant was yet future], saith the Lord, when I will make a new covenant with the house of Israel and with the house of Judah: Not according to the covenant that I made with their fathers in the day when I took them by the hand to lead them out of the land of Egypt; because they continued not in my covenant, and I regarded them not, saith the Lord. (Hebrews 8:8-9)

This prophecy is not about an alleged "spiritual Israel" out of all nations, but a spiritual remnant out of the nation of Israel.[35] Verse 9 depicts the New Covenant beneficiaries as the physical descendants of both the house of Judah and the house of Israel whom Moses led out of Egypt. Try as some might, the Israelites in this passage cannot be spiritualized into someone other than the descendants of the original twelve tribes. The Bible never says the New Covenant was made with anyone but Israel (although non-Israelites may become proselytes). This is because the New Covenant was a marital covenant with redeemed Israelites (1 Peter 1:1-3, 2:9-10) in fulfillment of Old Testament prophecies (Isaiah 10:20-22, 11:11, 16; 62:2-4; Hosea 1 and 2, etc.).[36]

Because the Old and New Covenants alike discriminate on behalf of Israel, it is imperative to correctly identify today's Israelites. Go back and read Hebrews 8:8. The historical record does not lie. When you take a map and draw circles around the landmasses in which true Christianity has flourished for the past two millennia, the identity of today's Israelites should be self-apparent – unless, of course, Yahweh has not been true to His promise in Jeremiah 31 and Hebrews 8. Either the Celtic, Germanic, Scandinavian, Anglo-Saxon, and related peoples (hereafter identified as Celto-Saxons) comprise Israel, or Yahweh has not been true to His Word. Because Yahweh is *always* true to His Word, He has made the New Covenant with Israelites.

For whatever reason, God clearly intended that His message be directed toward the West. In the book of Acts, chapter 16, verses 6-10, the apostle kept seeking to take the message of Christ to the East into Asia, but he was forbidden to do so by the Holy Spirit. Instead, Paul received a vision in which he was led to understand that God's purpose was for Paul to go west into Europe.... From this point forward, the Gospel would make an external impact on societies that lay toward the West. Paul made plans to go to Italy and then on to Spain in obedience to this westward calling of God. As a result, the flame of liberty would spread west to many locations in Europe, before it would be carried across the Atlantic to America.[37]

The gospel did not go west by chance. It went west by providence, by prophecy, and by covenant (Jeremiah 31:31). Yahweh's word never fails and therefore the peoples of the West, namely the Celto-Saxons, are today's true descendants of the Israelites of old.

Over the last 2,100 years, Celto-Saxons have predominantly been most responsive to Jesus' call to salvation. Other nations would be oblivious to Christianity if not for the Celto-Saxons' proliferation of the gospel. Only the Celto-Saxons fulfill the dozens of Biblical markers for Israel. Additionally, some fourteen hundred Assyrian cuneiform tablets provide various names the house of Israel assumed during their Assyrian captivity. These names have been linked to the Celto-Saxon peoples.[38]

Today's Jews do not fit any of the Biblical markers, and, in fact, they admit in their almanacs, encyclopedias, historical writings, and other literature that they are not physical Israelites:

Strictly speaking, it is incorrect to call an ancient Israelite a "Jew" or to call a contemporary Jew an "Israelite" or a "Hebrew."

The Jewish Almanac (1980)[39]

Here's a paradox, a paradox, a most ingenious paradox: an anthropological fact, many Christians ... have much more Hebrew-Israelite blood in their veins than most of their Jewish neighbors.

Dr. Alfred M. Lilienthal, Jr.[40]

Non-Israelite Privileges

That Yahweh chose Israel to be His covenantal wife under both covenants is Biblically incontestable. This does not mean He hates other nations, anymore than a man who loves his wife hates other women. Husbands are to love their wives above other women, so why should we be shocked Yahweh loves Israel above other nations? Although Israel has been given a special relationship with Yahweh, this does not mean He condones unjustified discrimination. Non-Israelites do not share the same covenantal rank and citizenship as Israelites do. Nevertheless, Yahweh holds non-Israelite residents in the same regard as the widows, orphans, and poor for whom He demands special protection and provision:

> Thou shalt neither vex a stranger, nor oppress him: for ye were strangers in the land of Egypt. Ye shall not afflict any widow, or fatherless child. If thou afflict them in any wise, and they cry at all unto me, I will surely hear their cry; and my wrath shall wax hot, and I will kill you with the sword; and your wives shall be widows, and your children fatherless. (Exodus 22:21-24)

See also Leviticus 25:6; Deuteronomy 10:17-19, 14:28-29, 24:17-21; and Psalm 146:9. James Hoffmeier sums up these benefits for non-Israelite strangers:

> The alien, though not fully a citizen, was included in many of the blessings as well as the obligations of the covenant community … the alien received all the legal protections, social benefits, and religious inclusion offered by the law.[41]

Rushdoony sheds light on the evil of unlawful discrimination:

> Israel was reminded of the discrimination and persecution it experienced in Egypt and asked therefore to beware of placing other men under similar sufferings…. The evil in that experience was not their segregation into Goshen: that was a favor and an advantage. The evil was in the oppression and enslavement, in the legal [but unlawful] discriminations against them.[42]

North expounds upon what is most likely Yahweh's reason for these special provisions for widows, orphans, and strangers:

> Why does God single out the widow, the orphan, and the resident alien? They must be representative of a general class of people. If we search for the distinguishing characteristic of all three – their representative feature – we find there is only one: *their lack of covenantal representation*…. The widow has no husband, the orphan has no parents; the resident alien has no tribe and legal status in the assembly. The first two have no family head above them; the third has no ecclesiastical or judicial place in the hierarchy. No earthly agent *speaks* for the resident alien in the assembly. No one listens to the widow and orphan. No one has a major cultural incentive to protect them.[43]

Yahweh requires discrimination as it pertains to citizenship and ecclesiastical and civil leadership, but He forbids all unlawful discrimination.

Sodomy Promotion

By promoting the Constitution, Constitutionalists promote sodomy. The Fourteenth Amendment's Equal Protection Clause was employed by the Supreme Court in *Romer* *v. Evans* (1996) to protect sodomites. The Court held that Amendment 2 of the Colorado State Constitution, which prohibited Colorado courts from recognizing sodomites as a protected class of citizen, was unjust discrimination. The Constitutional Republic's Supreme Court would also consider Leviticus 20:13 ("If a man also lie with mankind, as he lieth with a woman, both of them have committed an abomination: they shall surely be put to death....") inadmissible discrimination. Although the Supreme Court has yet to rule in favor of sodomite marriages, such a ruling is certainly coming. This, of course, would be impossible if America were living by Yahweh's law.

Section 2

Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, *excluding Indians not taxed*.[44] But when the right to vote at any election for the choice of electors for President and Vice President of the United States, representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state being of twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

Section 2's primary purpose was to change the method for apportioning Representatives from each State in Congress. Instead of counting only three-fifths of each State's slave population (as was previously the case according to Article 1, Section 2, Clause 3), the Fourteenth Amendment stipulated that every Negro citizen would be counted as one whole person. Had Amendment 14 been Biblical, it would have annulled the three-fifths citizenship apportionment rather than adding two-fifths.

This section also sets the age of citizenship (and thus the age of manhood) at twenty-one years. Because the United States was drafting eighteen-year-old boys to fight in Vietnam, the age of citizenship was changed to eighteen by Amendment Twenty-Six, adopted in 1971. Those who drafted and ratified Amendment 14, as well as later congressmen, completely ignored Yahweh's law or thought they knew better than Yahweh. Yahweh set the age of military service (and thus manhood) at twenty years:

Take ye the sum of all the congregation of the children of Israel ... every male by their polls; from twenty years old and upward, all that are able to go forth to war in Israel.... (Numbers 1:2-3)

Section 3

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who having previously taken an oath, as a member of Congress, or as an officer of the United States, or as member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

Section 3 addresses insurrection and rebellion of public officials against the Constitution, which should concern Constitutionalists. On the other hand, *Christians* should be troubled –

in fact, outraged – at the insurrection and rebellion committed against Yahweh and His perfect law by the framers in the late 1700s and by presidents, congressmen, and judges ever since the inception of the Constitutional Republic. Which outrages you most: Insurrection and rebellion against WE THE PEOPLE and its constitution? Or insurrection and rebellion against Yahweh and His constitution?

No man can serve two masters: for either he will hate the one, and love the other; or else he will hold to the one, and despise the other. Ye cannot serve God and mammon. (Matthew 6:24)

Click to order the *Bible Law vs. The United States Constitution* CDs:

- •The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- •The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. "Fourteenth Amendment to the United States Constitution," *Wikipedia*, http://en.wikipedia.org/wiki/Fourteenth_Amendment_to_the_United_States_Constitution.

2. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

3. "Fourteenth Amendment to the United States Constitution," *Wikipedia*, http://en.wikipedia.org/wiki/Fourteenth_Amendment_to_the_United_States_Constitution.

4. Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: Institute for Christian Economics, 1990/1997) p. 846.

5. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, "The Third Commandment" may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

6. Daniel J. Boorstin, *The Americans*: *The Colonial Experience* (Norwalk, CT: The Easton Press, 1958/1987) p. 7.

7. Ibid., p. 25.

8. North, p. 393.

9. John Clark Ridpath, *History of the United States*, 4 vols. (New York, NY: The American Book Company, 1874) vol. 1, p. 181.

10. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) pp. 99-100.

11. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

12. Not everyone claiming to be "born again" in the 17th century was properly instructed in what is Biblically required to be born from above. The same is true today. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; and 1 Peter 3:21 should be studied to understand what is required to be born from above and thereby covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, *Baptism*: *All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

13. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

14. Edward J. Erler, professor of political science at California State University, San Bernardino, "Birthright Citizenship and Dual Citizenship: Harbingers of Administrative Tyranny," *Imprimis*(Hillsdale, MI: Hillsdale College Press, July 2008) pp. 2-3.

15. David Barton, *Original Intent*: *The Courts*, *the Constitution*, *& Religion* (Aledo, TX: WallBuilders, 1996/2005) p. 17.

16. *State v. District School Board of Edgerton* (1890), 76 Wis. 117, 44 NW 967, 20 ASR 41, 57.

17. C. Greg Singer, *A Theological Interpretation of American History* (Phillipsburg, NJ: Presbyterian and Reformed Publishing Co., 1964/1981) p. 317.

18. *Abington School District v. Schempp*, 374 U.S. 203, 215-16 (1963).

19. *Roe v. Wade*, 410 U.S. 113 (1973).

20. Ibid.

21. International Information Programs, USINFO.STATE.GOV, "Equal Protection Under the Law," *Rights of the People*: *Individual Freedom and the Bill of Rights*, http://usinfo.org/enus/government/overview/equal.html.

22. John Stossel, "Fight Bigotry Without Government," Townhall.com, 2 June 2010, http://www.mediaite.com/online/john-stossel-revives-civil-rights-act-debate-to-defend-himself-against-racism-allegations/.

23. *Dred Scott v. Sandford*, 60 U.S. 393 (1856).

24. The Naturalization Act of 1795, An Act to establish an uniform Rule of Naturalization…, *Archiving Early America*, http://www.earlyamerica.com/earlyamerica/milestones/naturalization/naturalization_text.html.

25. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English

translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

26. Rushdoony, *The Institutes of Biblical Law*, p. 294.

27. Ibid., pp. 60-61.

28. "Fourteenth Amendment," *The Free Dictionary*, http://legal-dictionary.thefreedictionary.com/fourteenth+amendment.

29. *Plessy v. Ferguson*, 163 U.S. 537, May 1896.

30. North, *Tools of Dominion*: *The Case Laws of Exodus*, p. 676.

31. Gary North, *Political Polytheism*: *The Myth of Pluralism* (Tyler, TX: Institute for Christian Economics, 1989) p. 72.

32. James K. Hoffmeier, *The Immigration Crisis*: *Immigrants*, *Aliens*, *and the Bible* (Wheaton, Illinois, Crossway Books, 2009) p. 77.

33. Rushdoony, *The Institutes of Biblical Law*, p. 89.

34. For a more thorough explanation regarding the Old Testament prophecies concerning the reunion of the house of Israel with the house of Judah as fulfilled in Ephesians 2, *The Mystery of the Gentiles: Who Are They and Where Are They Now?* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

35. For a more thorough explanation regarding the erroneous teaching concerning a spiritual Israel out of all nations, *Spiritual Israel: Out of All Nations or Out of the Nation of Israel?* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

36. For a more thorough explanation regarding the Old Testament prophecies concerning Yahweh's remarriage to a remnant of believing Israelites under the New Covenant, *The Mystery of the Gentiles: Who Are They and Where Are They Now?* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

37. Mark A. Beliles, Douglas S. Anderson, *Contending for the Constitution: Recalling the Christian Influence on the Writing of the Constitution and the Biblical Basis of American Law and Liberty*(Charlottesville, VA: Providence Foundation, 2005) pp. 81-82.

38. For a more thorough explanation regarding the deciphering of the Assyrian Cuneiform tablets, *Missing Links Discovered in Assyrian Tablets* by archeologist Raymond Capt may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

39. Richard Siegel, Carl Rheins, eds., "Identity Crisis," *The Jewish Almanac* (New York, NY: Bantam Books, 1980) p. 3.

40. Dr. Alfred M. Lilienthal, Jr., *What Price Israel* (Chicago, IL: Henry Regnery Company, 1953) p. 223. For additional admissions by today's Jews that they are not Israelites, *God's Covenant People: Yesterday, Today and Forever* (which includes over 700 documented quotations, many of them from Jewish sources) may be read online, or the book may be

ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

41. Hoffmeier, p. 101.

42. Rushdoony, *The Institutes of Biblical Law*, pp. 530-31.

43. North, *Tools of Dominion*, pp. 669-70.

44. All American Indians are now subject to federal taxation.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 24
Amendment 15: Colorblind Voting

Section 1

The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any state, on account of race, color, or previous condition of servitude.

Section 2

The Congress shall have power to enforce this article by appropriate legislation.

Ratification

The Fifteenth Amendment, the last of the three postbellum reconstruction amendments, was ratified on February 3, 1870. The specific purpose of the Fifteenth Amendment was to secure voting privileges for black men who were freed by the Thirteenth Amendment and who became United States citizens through the Fourteenth Amendment. All other male non-Caucasian citizens were also guaranteed the same voting privileges. Like the Fourteenth Amendment, the Fifteenth was ratified by dubious means:

At one point, the ratification count stood at 17 Republican states approving the amendment and four Democratic states rejecting it. Congress still needed 11 more states to ratify the amendment before it could become law. All eyes turned toward those Southern states which had yet to be readmitted to the Union. Acting quickly, Congress ruled that in order to be let into the Union, these states had to accept both the Fifteenth Amendment and the Fourteenth Amendment, which granted citizenship to all people born in the United States, including former slaves. Left with no choice, the states ratified the amendments and were restored to statehood.[1]

The principal incentive behind this Amendment was political. The Republicans needed additional votes in order to establish their party in both the North and the South, and they believed the blacks would support them as the political party that had ended slavery.

…the Radical Republicans imposed a bold agenda of strict reforms upon the former Confederacy. Collectively, their push for African-American political rights surpassed any measure ever seen in the United States. The 38th Congress (1863-1865) quickly passed and submitted for ratification the 13th Amendment (13 Stat. 744-775) – outlawing slavery – in 1865. That same year, Congress established the Freedman’s Bureau (13 Stat. 507-509), which was charged with preparing the newly freed slaves for civic life by providing social services and education. In 1866, the 39th Congress (1865-1867) passed the first Civil Rights Bill (14 Stat. 27-30), granting American citizenship to freed slaves, and then expanded upon the legislation by approving the 14th Amendment (14 Stat. 358-359), which enforced the equality of all citizens before the law.… All of the 19th-century black Congressmen were Republicans, recognizing and appreciating the role that the Republican Party played in obtaining their political rights and – for many – their emancipation.[2]

Because blacks were unlikely to vote Democrat, the Democrats, who controlled the Northern states, were determined to block the passage of this Amendment. Little genuine altruism toward the blacks, from either side of the political spectrum, motivated the passage of the Fifteenth Amendment. The freed slaves were looked upon as political expedients:

The stimulus for the Fifteenth Amendment came from the election returns of 1868. Although Republican presidential candidate Ulysses S. Grant won 73 percent of the electoral vote, he won only 52 percent of the popular vote. Without the southern black voter, Grant would have lost the popular, though not the electoral, vote. In state after state Grant and the Republicans won by precarious margins. Democrats also gained seats in Congress. And in the South during 1868, white Democrats resorted to violence and intimidation in order to prevent black Republicans from voting. Such disenfranchisement of blacks in the south, defeats in state referenda on suffrage throughout the North, and close calls in many elections convinced Republicans that something had to be done by the Fortieth Congress before Democrats arrived in force in the new Congress and in the statehouses.[3]

Gary North gets to the heart of the self-serving political agenda of those who ratified the Fifteenth Amendment: "The black slave became a tool in the statist plans of the North's Republican politicians."[4]

Full voting rights for all blacks did not occur until the mid-20th century:

Through the use of poll taxes, literacy tests and other means, southern states were able to effectively disenfranchise African Americans. It would take the passage of the Voting Rights Act of 1965 before the majority of African Americans in the south were registered to vote.[5]

This came, in part, as a result of President Lyndon B. Johnson's telling Congress on March 15, 1965, that "we cannot have government for all the people until we first make certain it is government of and by all the people."[6] Although President Lincoln helped emancipate the slaves, he would not have agreed with President Johnson or with the Congress that passed the Voting Rights Act. Lincoln did not believe whites and blacks were equal, nor that they ever could be:

I will say then that I am not, nor ever have been in favor of bringing about in any way the social and political equality of the white and black races, that I am not nor ever have been in favor of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to this that there is a physical difference between the white and black races which I believe will for ever forbid the two races living together on terms of social and political equality. And inasmuch as they cannot so live, while they do remain together there must be the position of superior and inferior, and I as much as any other man am in favor of having the superior position assigned to the white race.[7]

Consequences

Most politically correct Americans (non-Christians and Christians[8] alike) have been trained to believe the Fifteenth Amendment is a good thing. However, this is just another example of calling good evil and evil good. In addition to the fact that elections are unbiblical, unnecessary, and counterproductive (see Chapter Five "Article 2: Executive Usurpation."), the consequences of Amendment 15's ethnically blind voting privileges led to the participation of blacks and other non-Israelites in political affairs, which, in turn, led to non-Israelites unlawfully ruling over Israelites. (See Chapter Twenty-Three "Amendment 14: First-Birth vs. Second-Birth Citizenship" for a more thorough explanation of the ancient Israelites' genetic affinity with today's Celto-Saxons.)[9] Some of the initial proposals for the Fifteenth Amendment included provisions for holding public office. The terminology that would have allowed blacks and other non-whites to occupy public office did not make it into the Amendment's final draft. Nevertheless, blacks soon began to rule over Caucasians. In several states, this happened in such numbers that blacks quickly dominated some legislatures:

The first African American to vote after the adoption of this amendment was Thomas Mundy Peterson, who cast his ballot in a school board election held in Perth Amboy, New Jersey on March 31, 1870. On per capita and absolute basis, more blacks were elected to public office during the period of 1865 to 1880 than at any other time in American history. Although no state elected a black governor during Reconstruction, a number of state legislatures were effectively under the control of a strong African American caucus.[10]

> By 1877 about 2,000 black men had won local, state, and federal offices in the former Confederate states.[11]

The first African elected into Congress was Hiram Rhodes Revels:

When Senator Hiram Revels of Mississippi – the first African American to serve in Congress – toured the United States in 1871, he was introduced as the "Fifteenth Amendment in flesh and blood."[12]

Revels was said to be the Fifteenth Amendment incarnate, not because he voted, but because he was the first black to be elected a congressman.

Black-majority districts were essential for electing African-American Representatives, especially in South Carolina, which elected relatively large numbers of black Members. Only one man served a district whose population was less than 50 percent black: James Rapier represented, for one term, a southeastern Alabama district whose population was 44 percent black. The rest served districts whose populations were typically at least 60 percent African-American. Reconstruction–Era Republican state legislatures gerrymandered (drew districts that maximized their voting populations) southern states to boost the party's national strength upon their return to the Union.[13]

The domino effect of the Thirteenth, Fourteenth, and Fifteenth Amendments led to non-Israelites unlawfully ruling over Israelites here in America. Instead of re-colonizing the blacks to Africa (as endorsed by Abraham Lincoln), the Thirteenth Amendment ensured their integration into American society, which led to making them American citizens with the Fourteenth Amendment, which paved the way for the Fifteenth Amendment's voting guarantee, which inevitably led to the election of blacks and other non-Caucasians (non-Israelites) into public office.

These [predominately black] legislatures brought in programs that are considered part of government's role now, but at the time were radical, such as universal public education. They also set all racially biased laws aside, including anti-miscegenation laws (laws prohibiting interracial marriage).[14]

Ruling Authority

Regarding the prohibition in Deuteronomy 23:1-3 against certain groups of people and lineages participating in the congregation of Yahweh,[15] R.J. Rushdoony commented on the exclusiveness of Israel's authority:

Congregation has reference to the whole nation in its governmental function as God's covenant people. G. Ernest Wright defined it as "the whole organized commonwealth as it assembled officially for various purposes, particularly worship." The *men* of the legitimate blood line constituted the heads of houses and of tribes.... All the integrity and honesty required by the law was due to every "stranger" (Lev. 19:33, 34), and it was certainly not denied to a man's illegitimate child, nor to a eunuch, an Ammonite or a Moabite. The purpose of the commandment is here the protection of authority. Authority among God's people is *holy*; it does require a separateness. It does not belong to every man simply on the ground of his humanity.[16]

In his dissenting opinion in *Plessy v. Ferguson* (1896), Justice John Marshall Harlan stated that "in view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our Constitution is colorblind, and neither knows nor tolerates classes among citizens." The same is not true under Yahweh's law, Old and New Covenant alike. That the New Covenant was not made with all nations (although non-Israelites may become proselytes) but with a remnant of physical Israelites (Romans 9:27, 11:5, etc.) alone demonstrates a ruling class of citizens in Yahweh's kingdom:

Behold, the days come, saith YHWH,[17] that I will make a new covenant with the house of Israel, and with the house of Judah: Not according to the covenant that I made with their fathers in the day that I took them by the hand to bring them out of the land of Egypt; which my covenant they brake, although I was an husband unto them, saith YHWH: But this shall be the covenant that I will make with the house of Israel; after those days, saith YHWH, I will put my law in their inward parts, and write it in their hearts; and will be their God, and they shall be my people. (Jeremiah 31:31-33)[18]

(See Chapter Twenty-Three "Amendment 14: First-Birth vs. Second-Birth Citizenship" for a more thorough explanation concerning the exclusive nature of the New Covenant with Israelites.)

Equal justice under Yahweh's law is not the same as equal status, particularly as it pertains to citizenship and ecclesiastical and civil leadership:

Thou shalt in any wise set him king over thee, whom YHWH thy God shall choose: one from among thy brethren shalt thou set king over thee: thou mayest not set a stranger over thee, which is not thy brother. (Deuteronomy 17:15)

> And YHWH shall make thee the head, and not the tail; and thou shalt be above only, and thou shalt not be beneath; if that thou hearken unto the commandments of YHWH thy God, which I command thee this day, to observe and to do them. (Deuteronomy 28:13)

Although some non-Israelites lived among the tribes, Moses appointed judges exclusively from the Israelites:

So I took the chief of your tribes, wise men, and known, and made them heads over you, captains over thousands, and captains over hundreds, and captains over fifties, and captains over tens, and officers among your tribes. And I charged your judges at that time, saying, Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. (Deuteronomy 1:15-16)

Yahweh's law does not permit aliens to rule over Israelites. North equates "the very definition of citizenship" with "the exercise of civil rulership."[19] On the other hand, he declares, "there can be no lawful discrimination by the State on the basis of differences in race, color, sex."[20] Deuteronomy speaks for itself. Like so many modern Christians, North has fallen prey to the humanists' politically correct theology. This is, in part, a consequence of rejecting the pronouncement in Hebrews 8:8-9 that the New Covenant was made with physical Israelites. (See "Amendment 14: First-Birth vs. Second-Birth Citizenship" for an explanation concerning the identity of today's Celto-Saxon Israelites.)[21] It is nearly impossible to find a reformed pronomian theologian (such as North) who has directly addressed the transparent statements and tribal implications of Hebrews 8:8-9. Instead, they are found arbitrarily changing the recipients of this promise from Israelites to non-Israelites, the church, or generic man. North declares, "... the law is written in the hearts of men.... This work [Yahweh's law] is in every man's heart,"[22] but Hebrews 8:10 clearly states the New Covenant is Yahweh's law written in the hearts of Israelites.

Most people would agree that Yahweh discriminated nationally and ethnically under the Old Covenant. But when the same standard is applied to the New Covenant, it is often met with accusations of racism. If it is racist under the New Covenant, it was racist under the Old Covenant, and if it was not racist under the Old Covenant, then it cannot be racist under the New Covenant. Otherwise, we would need a new commandment under the New Covenant (which we do not have), repudiating Yahweh's former discrimination. Yahweh's morality does not change like man's. Yahweh's laws, reflecting partiality and requiring segregation, are today identified as racist *because*of man's fickle "morality."

The true effect of race knowledge is not to feed our vanity or rouse our boastfulness; rather, it should arouse a profound sense of responsibility.... I lay it down as a rule that whenever the thought of race leads us to boastfulness or contempt, there is something false in it....

> The Bible is not a history of the human race at large, but one distinct strain of people amongst the family of races. All the other races are considered with reference to it.... The Bible deals with one race [more properly nation] which flows like a gulf Stream through the ocean of humanity. As the actual gulf Stream touches two continents and blesses the nations, so this race, in its origin, history and destiny, was selected and equipped for the service of the [other] nations....
>
> Of course, many people still have their own ideas about this, and that creates a difficulty. For when people get their own ideas about things, it always leads to confusion. A man will rise and demand, "By what right does God choose one race or people above another?" ...God's grading is always upward. If He raises up a nation, it is that other nations may be raised up through its ministry. If He exalts a great man, an apostle of liberty, or science, or faith, it is that He might raise a degraded

> people to a better condition. The Divine selection is not a prize, a compliment paid to the man or the race – it is a burden imposed. To appoint a chosen people is not a pandering to the racial vanity of a "superior people;" it is a yoke bound upon the necks of those who are chosen for a special service.[23]

Unfortunately, white supremacists (under many names) use such knowledge to their own profane ends. However, the truth regarding the people with whom the New Covenant was made cannot be abandoned because this knowledge is sometimes used for ungodly purposes.

Verse 9 in the following prophecy is referring to the Greater David, Jesus.[24] This and other internal evidence reveals this is a New Covenant prophecy about Israelites. In this same prophecy, Jeremiah declares that during the New Covenant dispensation the Israelites' rulers were to be appointed from among their kindred:

Thus speaketh YHWH God of Israel, saying … lo, the days come … that I will bring again the captivity of my people Israel and Judah…. For it shall come to pass in that day, saith YHWH of hosts, that … they shall serve YHWH their God, and David their king, whom I will raise up unto them…. And their nobles shall be of themselves, and their governor shall proceed from the midst of them…. And ye shall be my people, and I will be your God. (Jeremiah 30:2-22)

Jeremiah 33:25-26 informs us that as long as day and night continue, Yahweh requires Israelites to be ruled by fellow Israelites. Nothing has changed since Deuteronomy 17:15. Under the New Covenant, Yahweh expects Israelites, with whom He made the New Covenant, to be ruled by Israelites. Anything to the contrary – such as Amendment 15 – is a violation of His law.

One of the *curses* for disobedience to Yahweh's law is that Yahweh's people will be ruled by foreigners (such as Barrack Obama):

The stranger that is within thee shall get up above thee very high; and thou shalt come down very low. …[H]e shall be the head, and thou shalt be the tail. (Deuteronomy 28:43-44)

This curse was specifically legislated and guaranteed by Article 6's prohibition of Biblical leadership stipulations, Amendment 1's provision for polytheism, Amendment 14's first-birth citizenship, and Amendment 15's non-Biblical and non-Israelite voting privileges. This eventually resulted in leadership positions for non-Israelites who often serve gods other than Yahweh. Jesus described what ultimately comes from such Biblical violations:

Every kingdom divided against itself is brought to desolation; and every city or house divided against itself shall not stand. (Matthew 12:25)

America's house began to be divided with the ratification of the Constitution. It was completely severed with the addition of Amendment 14, which paved the way for non-Israelite leadership. Before 1868, Deuteronomy 17:15 was the rule. Now, the United States Constitutional Republic is led by a non-Christian black man. That Obama is neither an Israelite nor a Christian is much more consequential than his dubious United States citizenship.

Legislation reflecting the culture and ethics of non-Israelites often causes Yahweh's people to further rebel against Him and fall under judgment – the ultimate consequence of the Fifteenth Amendment. Yahweh intends Christian Israelites to rule according to His superior and magnanimous laws. Yahweh's laws, including Christian-Israelite rule, are not detrimental to non-Israelites, but rather are for their physical betterment and spiritual enlightenment.

When assessed logically and Biblically (essentially one and the same thing), the Fifteenth Amendment has not benefitted *any* of the races. Few people understand the importance of Christian leadership, let alone the necessity of kinsmen leadership. We have every reason to apply Deuteronomy 17:15 to the New Covenant in the same way we apply it to the Mosaic Covenant. This is reason enough to reject the Fifteenth Amendment.

Click to order the Bible Law vs. The United States Constitution CDs:

- **The e-book (on CD) A Christian Perspective on the U.S. Constitution**
- **The audio CD The Bible vs. The U.S. Constitution (Pts. 1 & 2)**

End Notes

1. "People & Events: Passage of the Fifteenth Amendment," *American Experience*, http://www.pbs.org/wgbh/amex/grant/peopleevents/e_fifteenth.html.

2. "The Fifteenth Amendment in Flesh and Blood: The Symbolic Generation of Black Americans in Congress, 1870-1887," *Black Americans in Congress*, http://baic.house.gov/historical-essays/essay.html?intID=3.

3. "Amendment XV to the U.S. Constitution," *West's Encyclopedia of American Law*, http://www.answers.com/topic/amendment-xv-to-the-u-s-constitution.

4. Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: Institute for Christian Economics, 1990/1997) p. 224.

5. "15th Amendment to the Constitution," *Primary Documents in American History*, The Library of Congress Web Site, http://www.loc.gov/rr/program/bib/ourdocs/15thamendment.html.

6. Lyndon B. Johnson, quoted in "15th Amendment to the U.S. Constitution: Voting Rights (1870)," 28 July 2010, http://www.ourdocuments.gov/doc.php?flash=old&doc=44.

7. Abraham Lincoln, Lincoln's Fourth Debate with Douglas at Charleston, Illinois, 18 September 1858, *Primary Sources*: *Workshops in American History*, http://www.learner.org/workshops/primarysources/emancipation/docs/fourthdebate.html.

8. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

9. For an even more thorough explanation of the ancient Israelites' genetic affinity with today's Celto-Saxons, *The Mystery of the Gentiles: Who Are They and Where Are They Now?* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

10. "Fifteenth Amendment to the United States Constitution," *Wikipedia*, http://en.wikipedia.org/wiki/Fifteenth_Amendment_to_the_United_States_Constitution.

11. “The Fifteenth Amendment in Flesh and Blood: The Symbolic Generation of Black Americans in Congress, 1870-1887,” *Black Americans in Congress*, http://baic.house.gov/historical-essays/essay.html?intID=3.

12. Ibid.

13. Ibid.

14. “Fifteenth Amendment to the United States Constitution,” *Wikipedia*, http://en.wikipedia.org/wiki/Fifteenth_Amendment_to_the_United_States_Constitution.

15. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, “The Third Commandment” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

16. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) p. 85.

17. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, “The Third Commandment” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.**

18. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

19. North, p. 834.

20. Ibid., p. 845.

21. For an even more thorough explanation of the identity of today’s Celto-Saxon Israelites, The Mystery of the Gentiles: Who Are They and Where Are They Now? may be read online, or the bookmay be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

22. North, p. 971.

23. William John Cameron, lecture in Dearborn, Michigan (1933), quoted in The Covenant People(Merrimack, MA: Destiny Publishers, 1966) pp. 2-9.

24. Yeshua is the English transliteration of our Savior’s given Hebrew name, with which He introduced Himself to the Apostle Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, “The Third Commandment” may be read online, or Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 23
Amendment 14: First-Birth vs. Second-Birth Citizenship

Section 1

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the law.

Constitutionality

The Fourteenth Amendment, the second of three postbellum reconstruction amendments, was adopted on July 9, 1868. The first thing usually heard from the patriot community regarding the Fourteenth Amendment is that it was never constitutionally ratified. While this appears to be true, the patriot community needs to recognize their dissent has made no difference whatsoever and it never will. Because all the States have now accepted the Fourteenth Amendment, it is, for all practical purposes, constitutional:

…by 2003, the amendment had been ratified by all of the 37 states that were in the Union in 1868.[1]

We are saddled with the Fourteenth Amendment (and the rest of the United States Constitution) until we get rid of it on *Biblical terms*. If you are a Christian,[2] your concern should not be whether or not this Amendment was constitutionally ratified, but whether or not it is Biblical. If it is not Biblical, does it even matter whether it is constitutional?

Citizenship

Section 1, cited in more judicial decisions than any other section of the Constitution, provides the Constitution's definition for citizenship. It was specifically intended to provide citizenship to the African slaves freed by Amendment 13:

The Civil Rights Act of 1866 had already granted U.S. citizenship to all persons born in the United States; the framers of the Fourteenth Amendment added this principle into the Constitution to prevent the Supreme Court from ruling the Civil Rights Act of 1866 to be unconstitutional for lack of congressional authority to enact such a law or a future Congress from altering it by a mere majority vote.[3]

The Fourteenth Amendment made citizenship contingent upon birth or naturalization instead of a person's profession of Christianity:

Humanists have written civil covenants (constitutions) that make citizenship the product of physical birth or of a State adoption ("naturalized citizenship") rather than citizenship by ritual subordination to the God of the Bible.[4]

This contingency contrasts with that of 17th-century America. In the Massachusetts Bay Colony, for example, an adult male became a citizen of the Colony by covenant with the church, by profession of faith in Jesus,[5] His blood-atoning sacrifice, and resurrection from the grave. The Puritans' earthly citizenship was indistinguishable from their heavenly citizenship:

> In 1637 the General Court passed an order prohibiting anyone from settling within the colony without first having his orthodoxy approved by the magistrates.... Here was a community formed by free consent of its members. Why should they not exclude dangerous men, or men with dangerous thoughts.[6]
>
> …no one could be a "freeman" of the colony unless he had been admitted to the church. And only "freemen" could vote or hold office.[7]

Gary North clarifies that "without formal church membership, he was merely a town resident, not a citizen."[8] It was the same in New Haven, Connecticut:

> In June of 1639 the leading men of New Haven held a convention in a barn, and formally adopted the Bible as the constitution of the State.... None but church members were admitted to the rights of citizenship.[9]

This was also known as citizenship by covenant:

> In Biblical law, neither equalitarianism nor an oligarchy have any standing. God as the source of law established the covenant as the principle of citizenship. Only those within the covenant are citizens. The covenant is restrictive in terms of God's law.... The throne being the ark in the tabernacle, and the tabernacle being also the central place of atonement, membership in the nation-civil and in the nation-ecclesiastical were one and the same. Citizenship rested on faith. Apostasy was treason. The believing alien had some kind of access to the sanctuary (II Chron. 6:32-33), at least for prayer, but this act did not give him citizenship ... there is *no* equalitarianism here. There is an obvious discrimination and distinction made which no straining can eliminate....
>
> …Equalitarianism is a modern politico-religious concept: it did not exist in the Biblical world, and it cannot with any honesty be forced onto Biblical law. Equalitarianism is a product of humanism, of the worship of a new idol, man, and a new image carved out of man's imagination. As a standard in religion, politics, and economics it is a product of the modern era; to read it into the Biblical faith is to do violence to Scripture and to be guilty of dishonesty.[10]

The Apostle Paul validates this covenantal, tribal citizenship:

> …my brethren, my kinsmen according to the flesh: Who are Israelites; to whom pertaineth the adoption, and the glory, and the covenants, and the giving of the law, and the service of God, and the promises. (Romans 9:3-4)[11]

Citizenship by birth is further evidence that the United States Constitutional Republic is different from the form of government established in the Bible and in 17th-century America. Biblical and 17th-century American citizenship was based upon a person's second or spiritual birth.[12] The second birth is not only the means to full-fledged New Covenant kingdom citizenship, it is also foundational to leadership in Yahweh's[13] government. (See Chapter Five "Article 2: Executive Usurpation" for a list of Biblical leadership qualifications.)

Dual Citizenship

Although the Apostle Paul (being "wise as serpents," Matthew 10:16) took advantage of his Roman citizenship in some ticklish situations, dual citizenship in discordant kingdoms inevitably leads to a choice of one kingdom over the other, which is equivalent to a choice of one king over another:

[Pilate] saith unto the Jews, Behold your King! But they cried out, Away with him, away with him, crucify him. Pilate saith unto them, Shall I crucify your King? The chief priest answered, We have no king but Caesar. (John 19:14-15)

Most Constitutionalists choose the Constitution over the Bible as the supreme law of the land. Most Christian Constitutionalists would likely object to that statement. However, that this is, in fact, true, is demonstrated by their refusal to condemn the Constitution as antithetical to Yahweh's morality as found in His law. Yahweh expects our loyalty to Him and to His kingdom, and therefore only to governments that represent His kingdom and His law here on earth (a description that fits neither the government today nor the Constitutional Republic of the late 18th century).

In Matthew 7:21-23, the will of God is contrasted with *anomia* (lawlessness, "iniquity" in the KJV). For any man or group of men to fulfill their commission as Yahweh's ambassadors, they must individually and corporately pursue Yahweh's kingdom laws.

For many walk, of whom I often told you, and now tell you even weeping, that they are enemies of the cross of Christ, whose end is destruction, whose god is their appetite, and whose glory is in their shame, who set their minds on earthly things. For our citizenship is in heaven…. (Philippians 3:18-20, NASB)

Although our citizenship is in the heavenly kingdom from where our King reigns over heaven and earth, our heavenly citizenship requires we pursue and advance His kingdom *here on earth*.

Thou therefore endure hardness, as a good soldier of Jesus Christ. No man that warreth entangleth himself with the affairs of this life; that he may please him who hath chosen him to be a soldier. (2 Timothy 2:3-4)

Any government that is not an extension of Yahweh's government and does not endorse His commandments, statutes, and judgments as the supreme law of the land is a competing and hostile kingdom that does not deserve our allegiance.

Ye adulterers and adulteresses, know ye not that the friendship of the world is enmity with God? Whosoever therefore will be a friend of the world is the enemy of God. (James 4:4)

The previous three passages are often misinterpreted as authorizing and even encouraging Christians to opt out of government and other earthly affairs. Through such misguided and dangerous teachings, Christians have lost dominion. The three previous passages promote our King's kingdom instead of man's kingdoms. Citizenship in heaven, as depicted by Paul in Philippians 3:20, is not meant to remove Christians from civil involvement. Paul was describing a citizenship in the kingdom *of* heaven that is put into action here *on* earth. Christians are supposed to be Yahweh's ambassadors (2 Corinthians 5:20), who represent, promote, and advance His kingdom (2 Corinthians 10:4-6) here and now. (See Chapter 2 "The

Kingdom: Yesterday, Today, and Forever" for the Scriptural evidence demonstrating Yahweh's kingdom is extant here on earth.)

Jurisdiction

Citizenship is ultimately determined by the laws a person keeps (Matthew 7:21-23), and is therefore demonstrated by the jurisdiction to which he ultimately submits:

> Citizenship, of course, does not exist by nature; it is created by law, and the identification of citizens has always been considered an essential aspect of sovereignty…. Although the Constitution of 1787 mentioned citizens, it did not define citizenship. It was in 1868 that a definition of citizenship entered the Constitution, with the ratification of the Fourteenth Amendment. …[T]here are two components to American citizenship: birth or naturalization in the U.S. and being subject to the jurisdiction of the U.S. …[D]uring debate over the amendment, Senator Jacob Howard of Ohio, the author of the citizenship clause, attempted to assure skeptical colleagues that the new language was not intended to make Indians citizens of the U.S. Indians, Howard conceded, were born within the nation's geographical limits; but he steadfastly maintained that they were not subject to its jurisdiction because they owed allegiance to their tribes. Senator Lyman Trumbull, chairman of the Senate Judiciary Committee, rose to support his colleague, arguing that "subject to the jurisdiction thereof" meant "not owing allegiance to anybody else and being subject to the complete jurisdiction of the United States." Jurisdiction understood as allegiance, Senator Howard interjected, excludes not only Indians but "persons born in the United States who are foreigners, aliens, [or] who belong to the families of ambassadors or foreign ministers." Thus "subject to the jurisdiction" does not simply mean, as is commonly thought today, subject to American laws or American courts. It means owing exclusive political allegiance to the U.S.[14]

Exclusive allegiance applies as much, in fact more, to citizenship in Yahweh's kingdom as it does to the United States. While tenaciously defending one's loyalty to Yahweh, selective allegiance can and should be applied to any government in power wherever it is in compliance with or not antagonistic to Yahweh's law. Romans 12:18 instructs us that "if possible, so far as it depends upon [us], be at peace with all men."

Due Process of Law

Although Amendment 14 prohibits the United States government from depriving its citizens of life, liberty, and property *without* due process of "law," this clause allows government to deprive its citizens of life, liberty, and property *by* due process of "law." Yahweh's law allows Biblical government to deprive a person of his life and liberty – but not his property. All the earth belongs to Yahweh and He has given man stewardship over it. However, He never allows the land in man's possession to be permanently sold (or confiscated):

> The land shall not be sold for ever: for the land is mine…. (Leviticus 25:23)

Under Yahweh's law, all leased land was to be returned to its rightful earthly owners every fifty years:

> In the year of this jubilee ye shall return every man unto his possession. (Leviticus 25:13)

Because taxation demonstrates ownership, Yahweh's law does not allow government to tax and thereby confiscate land. Conversely, Amendment 14 empowers the Constitutional Republic to confiscate private land when, among other reasons, property taxes are not paid. The Fourteenth Amendment retroactively legalized King Ahab's theft of Naboth's vineyard (1

Kings 21:1-16). The only difference between King Ahab and today's government is that the Constitutional Republic does so on a comprehensive scale.

Under America's current ungodly tax system, land "owners" are merely temporary tenants. This is made abundantly clear in Senate Document 43 of the Congressional Record of the 73rd Congress:

> The ultimate ownership of all property is in the State; individual so-called "ownership" is only by virtue of Government, i.e., law, amounting to mere user; and that use must be in accordance with law and subordinate to the necessities of the State.
>
> Senate Document 43, Page 9, April 1933

Senate Document 43 sounds all too similar to another government's immoral land laws:

> Abolition of property in land and application of all rents of land to public purposes.
>
> Communist Manifesto, Plank Number 1, 1848

> The land, its mineral wealth, waters, forests … are state property.…
>
> Article 6, Constitution of the USSR, 1936

(See Chapter Twenty-Five "Amendment 16: Graduated Income Tax vs. Flat Increase Tax" for additional information regarding the unbiblical nature of property taxes.)

State-Mandated Polytheism

In several cases, the Supreme Court has employed the Due Process Clause and applied most of the "privileges or immunities" enumerated in the Bill of Rights, including the First Amendment's prohibition against any favored religion, to the individual States. David Barton explains:

> In *Everson* [v. *Board of Education*, 330 U.S. 1 (1947)], the Court took the Fourteenth Amendment (which dealt with specific State powers) and attached to it the First Amendment's federal provision that "congress shall make no law respecting an establishment of religion." The result of merging these two Amendments was twofold: first, the court reversed the bedrock constitutional demand that the First Amendment pertain only to the federal government; second, the court declared that federal courts were now empowered to restrict not only the religious activities of the federal government but also those of States and individuals as well.[15]

Thanks to the Fourteenth Amendment, all fifty States are now as polytheistic as the federal government. Many States were officially polytheistic long before the Fourteenth Amendment was ratified.[16] Returning to the Articles of Confederation is no more a solution to America's polytheistic state than is returning to a purer form of constitutionalism. Because none of the States have ever upheld the First Commandment ("Thou shalt have no other gods besides me.") nor prosecuted its offenders, they were all polytheistic *in practice* long before 1868. (See Chapter Eleven "Government-Sanctioned Polytheism" for additional information regarding the Constitution's promotion of polytheism.) Gregg Singer commented upon the woeful effects of merging the Fourteenth and First Amendments:

> It was this process of enlarging the scope of the Fourteenth Amendment and reducing the power of the Tenth Amendment which laid the foundation for the alleged power of the courts to re-interpret the rights of the states in the areas of religion in the schools, capital punishment, abortion, and related matters.[17]

Barton's and Singer's concerns are well-founded. However, their concerns do not change the fact that *Everson* and similar Supreme Court decisions are now, in effect, constitutional law, made so by constitutional judiciaries. These decisions are unlikely to be overturned. In *Abington School District v. Schempp*, the Supreme "court … decisively settled that the First Amendment's mandate that 'Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof' has been made wholly applicable to the States by the Fourteenth Amendment.… The Fourteenth Amendment has rendered the legislatures of the States as incompetent as Congress to enact such laws."[18] Our only option to defeat the Fourteenth Amendment and the Supreme Court's abuse is to replace the entire Constitution with Yahweh's perfect law.

Infanticide

In *Griswold v. Connecticut* (1965), the Due Process Clause was employed to ensure the right of married couples to use birth-control devices, most of which are infanticidal. It was also cited by Justice Harry Blackmun in *Roe v. Wade* (1973), which legalized infanticide:

> …right of privacy, whether it be founded in the Fourteenth Amendment's concept of personal liberty and restrictions upon state action, as we feel it is, or, as the District Court determined, in the Ninth Amendment's reservation of rights to the people, is broad enough to encompass a woman's decision whether or not to terminate her pregnancy.[19]

In his concurring statement, Justice Potter Stewart also referred to the Fourteenth Amendment:

> Clearly, therefore, the Court today is correct in holding that the right asserted by Jane Roe is embraced within the personal liberty protected by the Due Process Clause of the Fourteenth Amendment.[20]

Nothing better demonstrates the outrageous and ungodly nature of the Constitution better than the Fourteenth Amendment. Instead of the Equal Protection Clause defending the life of the unborn, the Due Process Clause has been employed to justify their murder. Infanticide was made legal by constitutional law in a constitutional court. This could not have occurred were we living by Yahweh's law. If right to life organizations truly hope to completely rid America of her infanticide mills, they need to work toward replacing the Constitution with Yahweh's law.

Constitutionalists do not have the liberty to pick and choose which constitutional laws they support. If you promote the Constitution, its three branches of government, and its amendment process, you must take all of it, including the Fourteenth Amendment and its extant judicial decisions, such as *Roe v. Wade*. To promote the Constitution is to promote infanticide.

Equal Protection Under the Law

Amendment 14's Equal Protection Clause became the means by which the Supreme Court, in *Brown v. Board of Education* (1954), dismantled racial segregation in the United States:

> The Civil Rights Act of 1964 made it illegal to discriminate on the basis of race, gender, or ethnicity in “public accommodations,” such as restaurants, hotels, and theaters, even though these businesses might be owned privately. Prior to 1964, prevailing law held that the owner of a business had the right to serve whom he chose....[21]

Collective racial rights now trump personal privacy rights. Fox News analyst John Stossel stated the government went too far in *Brown v. Board of Education*:

> I said this: “Private businesses ought to get to discriminate....” Individuals should be surrounded by a sphere of privacy where government does not intrude. Part of the Civil Rights Act violates freedom of association. That’s why I told Fox’s Megyn Kelly, “It’s time now to repeal that part of the law.” America’s fundamental political philosophy has deteriorated quite a bit if we can’t distinguish between government and private conduct....
>
> I just don’t trust government to decide what discrimination is acceptable.... Today, because of government antidiscrimination policy, all-women gyms are sued and forced to admit men ... and a Christian wedding photographer is fined thousands of dollars for refusing to take photos of a homosexual wedding.[22]

Integration vs. Segregation

Amendment 14 overturned *Dred Scott v. Sandford* (1857), which held that people of Negro descent were not entitled to United States citizenship or constitutional rights:

> They [Africans] are not included, and were not intended to be included, under the word “citizens” in the Constitution, and can therefore claim none of the rights and privileges which the instrument provides and secures to citizens of the United States....[23]

This decision agreed with the constitutional position found in The Naturalization Act of 1795, enacted by the First Federal Congress of the United States of America:

> BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, that any alien, being a free white person, may be admitted to become a citizen of the United States, or any of them....[24]

Both *Dred Scott* and this early act of Congress agreed with Yahweh’s law, but because they did not acknowledge Yahweh’s law as their source and authority, they were nothing more than the opinions of man. Consequently, they were easily overturned by subsequent man-made judicial decisions.

Since *Brown v. Board of Education*, most people have been convinced that integration is a good thing, but this only further proves America’s departure from Yahweh’s law. Being politically correct has become more expedient than being Biblically correct – even to those who claim to be pronomians. The following passages demonstrate Yahweh intends His people to live separately:

> When the most High divided to the nations their inheritance, when he separated the sons of Adam, he set the bounds of the people according to the number of the children of Israel. (Deuteronomy 32:8)

And [Yahweh] hath made of one blood all nations of men for to dwell on all the face of the earth, and hath determined the times before appointed, and the bounds of their habitation. (Acts 17:26)

See also Exodus 33:16, Leviticus 20:24, Numbers 23:9, Deuteronomy 33:28, 1 Kings 8:51-53, Ezra 9:1-2, and Nehemiah 9:2.

Resident aliens (foreign slaves, etc.) and temporary foreign sojourners (immigrant laborers, etc.) are two exceptions to this important First and Seventh Commandment statute. (See Chapter Twenty-Two"Amendment 13: Constitutional Slavery" for additional information regarding Biblical slavery versus constitutional slavery.) Open borders are oxymoronic as well as unbiblical. Most of America's current immigration regulations are also Biblically unlawful. The Prophet Hosea described one of the consequences of unbiblical integration:

Ephraim, he hath mixed himself among the people.... Strangers have devoured his strength, and he knoweth it not.... (Hosea 7:8-9)

Hosea 7 might just as easily have been written about America. Egalitarians (non-Christians and Christians alike) would have us believe integration (which always results in pluralistic multiculturalism) is a good thing. However, the integration of Israel with other nations was a judgment from Yahweh, not a reward:

If thou wilt not observe to do all the words of this law that are written in this book … it shall come to pass, that … YHWH[25] shall scatter [integrate] thee among all people, from the one end of the earth even unto the other; and there thou shalt serve other gods.... (Deuteronomy 28:58-64)

Therefore thou [Yahweh] hast forsaken thy people the house of Jacob, because … they please themselves in the children of strangers. (Isaiah 2:6)

The consequences of breaking Yahweh's laws do not change. R.J. Rushdoony pointed out one of those consequences:

Segregation or separation is thus a basic principle of Biblical law with respect to religion and morality. Every attempt to destroy this principle is an effort to reduce society to its lowest common denominator.[26]

Rushdoony's comments regarding civil rights groups are also apropos:

The law has often been used as an ostensible weapon to gain equality, but such attempts represent either self-deception or an attempt to deceive by the group in power. The "civil rights" revolutionary groups are a case in point. Their goal is not equality but power. The background of Negro culture is African and magic, and the purposes of magic are control and power over God, man, nature, and society.[27]

This "power drive" is also evident in the Hispanic anti-American La Raza (The Race) movement. The same is true of Islam, which has all but taken over Europe and has an ever increasing stronghold in America.

At the time the Fourteenth Amendment was added to the Constitution, segregation was commonplace. "The gallery of the U.S. Senate was itself segregated by race during the debate of the Equal Protection Clause."[28] Twenty-eight years after the ratification of the Fourteenth

Amendment and fifty-eight years before *Brown v. Board of Education*, the Supreme Court, in *Plessy v. Ferguson*(1896), ruled that State-mandated segregation did not violate the Fourteenth Amendment's Equal Protection Clause and that the States could enforce segregation, provided similar facilities were afforded people of different races. This "separate but equal" doctrine was more Biblically compatible than was *Brown v. Board of Education*. But today's politically correct, racially sensitive society would be aghast if such "racist and hateful" legislation were proposed today. It would be well for anyone so inclined to consider the following from the *Plessy* court:

> We consider the underlying fallacy of the plaintiff's argument to consist in the assumption that the enforced separation of the two races stamps the colored race with a badge of inferiority. If this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it.
>
> …Legislation is powerless to eradicate racial instincts or to abolish distinctions based upon physical differences, and the attempt to do so can only result in accentuating the difficulties of the present situation.[29]

Although Section 1's provision for equal citizenship (and thus unrestricted racial integration at all levels of society) is not Biblical, its stipulation for equal protection is Biblical:

> God's law has established the foundational principle of all civil rights: *one civil law code for all residents*. Not just one law for all *citizens*; one law for all *residents*. This is what distinguished ancient Israel from all … pagan societies. Pagan societies did not give non-citizens full legal access to their civil courts. Strangers therefore had no civil rights.... In Israel, everyone had equal access to the civil courts, for everyone was under the same civil law.... But the concomitant to this extraordinary civil liberty was *political discrimination*: the resident alien could not … serve as a civil judge [or own land permanently inside the nation[30]].[31]

Yahweh demands judicial equity for Israelites and non-Israelites alike:

> And I charged your judges at that time, saying, Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. Ye shall not respect persons in judgment.... (Deuteronomy 1:16-17)

See also Exodus 12:49, 20:10; Leviticus 16:29-30, 18:26, 20:2, 24:16-22; Numbers 15:15-16, 29-30, 35:15; and Deuteronomy 27:19. These magnanimous laws were an exception to how other nations treated strangers living among them:

> The principle of equal justice was not universally practiced in the ancient Near East. In the code of Hammurabi and other Mesopotamian legal traditions, for example, people are classified as priests, citizens, two lower-class groups (*mushkenum* and *khupshu*), and slaves. Penalties for the same crime differed depending on one's social or class status. Furthermore, aliens are not even mentioned as a legally protected group of individuals in the law codes.[32]

Equal justice under Yahweh's law requires non-Israelites residing or sojourning in Israel's land to be taught Yahweh's law:

> When all Israel is come to appear before YHWH thy God in the place which he shall choose, thou shalt read this law before all Israel in their hearing. Gather the people together, men, and women, and children, and thy stranger that is within thy gates, that they may hear, and that

they may learn, and fear YHWH your God, and observe to do all the words of this law. And that their children, which have not known any thing, may hear, and learn to fear YHWH your God.... (Deuteronomy 31:11-13)

See also Joshua 8:30-35. Teaching Yahweh's laws to strangers made them accountable to them while living in or visiting Israel's land.

Although Yahweh's law provides for equal *justice* under His law, there are exceptions to equal *application*: Deuteronomy 15:3 excludes non-resident foreigners from the sabbatical year release; Deuteronomy 17:15 prohibits non-Israelites from ruling over Israelites; Deuteronomy 23:20 permits usury loans to non-Israelites; and Leviticus 25:44-46 provisionally allows non-Israelites to be taken as permanent slaves.

Biblical Discrimination

Equal justice and equal status are not the same thing. That Yahweh chose one people above others is made clear throughout the Bible. Among other endearing terms, the Israelites are identified as Yahweh's inheritance and the apple of His eye:

For YHWH's portion is his people; Jacob is the lot of his inheritance. ...[H]e led him about, he instructed him, he kept him as the apple of his eye. (Deuteronomy 32:9-10)

Yahweh's special relationship with the nation of Israel is made especially clear in the passages that identify the Israelites as His special treasure and possession:

For thou art an holy people unto YHWH thy God: YHWH thy God hath chosen thee to be a special people unto himself, above all people that are upon the face of the earth. (Deuteronomy 7:6)

See also Exodus 19:5-6; Deuteronomy 14:2, 26:18-19; 2 Samuel 7:23-24; and Psalm 135:4. These passages describe Yahweh's marital relationship with the Israelites:

And YHWH said ... Israel ... I am married unto you.... (Jeremiah 3:11-14)

Exodus 19:5-6 is Yahweh's marriage proposal to the nation of Israel. (See Chapter Two "The Kingdom: Yesterday, Today, and Forever" for a more thorough discussion of Yahweh's marriage to the nation of Israel under the Old Covenant and a remnant of Israel under the New Covenant.) Rushdoony explains this favored status:

The principle of "one law" for all is basic to Biblical law. On the other hand, there is a definite partiality to the Biblical law. In instances too numerous to cite, God "intervenes" in history to overthrow the enemies of His covenant people; the weather is used, plague is used, and a variety of means, from the plagues against Egypt on. Moreover, the law as given to Israel is partial in that it protects an order, God's law-order, and the people of that order.[33]

That "there is a definite partiality to the Biblical law" is established throughout the Bible, particularly in the following passages:

Moses commanded us a law, even the inheritance of the congregation of Jacob. (Deuteronomy 33:4)

He [Yahweh] sheweth his word unto Jacob, his statutes and his judgments unto Israel. He hath not dealt so with any nation: and as for his judgments, they have not known them. Praise ye YH. (Psalm 147:19-20)

…my kinsmen according to the flesh: Who are Israelites; to whom pertaineth the adoption, and the glory, and the covenants, and the giving of the law…. (Romans 9:3-4)

This is just as true for a redeemed remnant of physical Israelites under the New Covenant:

Behold, the days come, saith YHWH, that I will make a new covenant with the house of Israel, and with the house of Judah: Not according to the covenant that I made with their fathers in the day that I took them by the hand to bring them out of the land of Egypt; which my covenant they brake, although I was an husband unto them, saith YHWH. But this shall be the covenant that I will make with the house of Israel; After those days, saith YHWH, I will put my law in their inward parts, and write it in their hearts; and will be their God, and they shall be my people. (Jeremiah 31:31-33)

The New Covenant was Yahweh's means of fulfilling the prophecies (Isaiah 62:2-4; Hosea 1 and 2, etc.) in which He promised to remarry a remnant of physical Israel (Isaiah 10:20-22, 11:11, 16; Romans 9:25-27, 11:5; etc.). To change the recipients of these prophecies under the New Covenant effectively makes Yahweh a liar. Yahweh's election of one people for this special relationship does not nullify it as an act of grace. The claim that Hebrews 8:8-10 is racist is baseless. Yahweh's New Covenant with Israel is a covenant of grace:

Even when we were dead in sins, hath quickened us together with Christ, (by grace ye are saved;) and hath raised us up together, and made us sit together in heavenly places in Christ Jesus: That in the ages to come he might shew the exceeding riches of his grace in his kindness toward us through Christ Jesus. For by grace are ye saved through faith; and that not of yourselves: it is the gift of God: Not of works, lest any man should boast. (Ephesians 2:5-9)

The *ethne* (Greek for "nations" or "peoples"; poorly translated "Gentiles") in Ephesians 2:11 are often misidentified as non-Israelites. Most people are unaware that Ephesians 2 is a fulfillment of several Old Testament prophecies regarding the reunion of the house of Israel with the house of Judah through Jesus' blood-atoning sacrifice and resurrection from the grave.[34]

Equal justice under Yahweh's law is not the same as equal status under the law, particularly as it pertains to citizenship and ecclesiastical and civil leadership. (See Chapter Twenty-Four"Amendment 15: Colorblind Voting" for a more thorough explanation regarding civil leadership.)

Identifying Israel

Few people recognize that, like the Old Covenant, the New Covenant was made exclusively with physical descendants of the two houses of the nation of Israel:

…Behold the days come [quoted from Jeremiah 31:31-33 when the New Covenant was yet future], saith the Lord, when I will make a new covenant with the house of Israel and with the house of Judah: Not according to the covenant that I made with their fathers in the day when I took them by the hand to lead them out of the land of Egypt; because they continued not in my covenant, and I regarded them not, saith the Lord. (Hebrews 8:8-9)

This prophecy is not about an alleged “spiritual Israel” out of all nations, but a spiritual remnant out of the nation of Israel.[35] Verse 9 depicts the New Covenant beneficiaries as the physical descendants of both the house of Judah and the house of Israel whom Moses led out of Egypt. Try as some might, the Israelites in this passage cannot be spiritualized into someone other than the descendants of the original twelve tribes. The Bible never says the New Covenant was made with anyone but Israel (although non-Israelites may become proselytes). This is because the New Covenant was a marital covenant with redeemed Israelites (1 Peter 1:1-3, 2:9-10) in fulfillment of Old Testament prophecies (Isaiah 10:20-22, 11:11, 16; 62:2-4; Hosea 1 and 2, etc.).[36]

Because the Old and New Covenants alike discriminate on behalf of Israel, it is imperative to correctly identify today’s Israelites. Go back and read Hebrews 8:8. The historical record does not lie. When you take a map and draw circles around the landmasses in which true Christianity has flourished for the past two millennia, the identity of today’s Israelites should be self-apparent – unless, of course, Yahweh has not been true to His promise in Jeremiah 31 and Hebrews 8. Either the Celtic, Germanic, Scandinavian, Anglo-Saxon, and related peoples (hereafter identified as Celto-Saxons) comprise Israel, or Yahweh has not been true to His Word. Because Yahweh is *always* true to His Word, He has made the New Covenant with Israelites.

For whatever reason, God clearly intended that His message be directed toward the West. In the book of Acts, chapter 16, verses 6-10, the apostle kept seeking to take the message of Christ to the East into Asia, but he was forbidden to do so by the Holy Spirit. Instead, Paul received a vision in which he was led to understand that God’s purpose was for Paul to go west into Europe.… From this point forward, the Gospel would make an external impact on societies that lay toward the West. Paul made plans to go to Italy and then on to Spain in obedience to this westward calling of God. As a result, the flame of liberty would spread west to many locations in Europe, before it would be carried across the Atlantic to America.[37]

The gospel did not go west by chance. It went west by providence, by prophecy, and by covenant (Jeremiah 31:31). Yahweh’s word never fails and therefore the peoples of the West, namely the Celto-Saxons, are today’s true descendants of the Israelites of old.

Over the last 2,100 years, Celto-Saxons have predominantly been most responsive to Jesus’ call to salvation. Other nations would be oblivious to Christianity if not for the Celto-Saxons’ proliferation of the gospel. Only the Celto-Saxons fulfill the dozens of Biblical markers for Israel. Additionally, some fourteen hundred Assyrian cuneiform tablets provide various names the house of Israel assumed during their Assyrian captivity. These names have been linked to the Celto-Saxon peoples.[38]

Today’s Jews do not fit any of the Biblical markers, and, in fact, they admit in their almanacs, encyclopedias, historical writings, and other literature that they are not physical Israelites:

Strictly speaking, it is incorrect to call an ancient Israelite a “Jew” or to call a contemporary Jew an “Israelite” or a “Hebrew.”

The Jewish Almanac (1980)[39]

Here’s a paradox, a paradox, a most ingenious paradox: an anthropological fact, many Christians … have much more Hebrew-Israelite blood in their veins than most of their Jewish neighbors.

Dr. Alfred M. Lilienthal, Jr.[40]

Non-Israelite Privileges

That Yahweh chose Israel to be His covenantal wife under both covenants is Biblically incontestable. This does not mean He hates other nations, anymore than a man who loves his wife hates other women. Husbands are to love their wives above other women, so why should we be shocked Yahweh loves Israel above other nations? Although Israel has been given a special relationship with Yahweh, this does not mean He condones unjustified discrimination. Non-Israelites do not share the same covenantal rank and citizenship as Israelites do. Nevertheless, Yahweh holds non-Israelite residents in the same regard as the widows, orphans, and poor for whom He demands special protection and provision:

> Thou shalt neither vex a stranger, nor oppress him: for ye were strangers in the land of Egypt. Ye shall not afflict any widow, or fatherless child. If thou afflict them in any wise, and they cry at all unto me, I will surely hear their cry; and my wrath shall wax hot, and I will kill you with the sword; and your wives shall be widows, and your children fatherless. (Exodus 22:21-24)

See also Leviticus 25:6; Deuteronomy 10:17-19, 14:28-29, 24:17-21; and Psalm 146:9. James Hoffmeier sums up these benefits for non-Israelite strangers:

> The alien, though not fully a citizen, was included in many of the blessings as well as the obligations of the covenant community … the alien received all the legal protections, social benefits, and religious inclusion offered by the law.[41]

Rushdoony sheds light on the evil of unlawful discrimination:

> Israel was reminded of the discrimination and persecution it experienced in Egypt and asked therefore to beware of placing other men under similar sufferings…. The evil in that experience was not their segregation into Goshen: that was a favor and an advantage. The evil was in the oppression and enslavement, in the legal [but unlawful] discriminations against them.[42]

North expounds upon what is most likely Yahweh's reason for these special provisions for widows, orphans, and strangers:

> Why does God single out the widow, the orphan, and the resident alien? They must be representative of a general class of people. If we search for the distinguishing characteristic of all three – their representative feature – we find there is only one: *their lack of covenantal representation*…. The widow has no husband, the orphan has no parents; the resident alien has no tribe and legal status in the assembly. The first two have no family head above them; the third has no ecclesiastical or judicial place in the hierarchy. No earthly agent *speaks* for the resident alien in the assembly. No one listens to the widow and orphan. No one has a major cultural incentive to protect them.[43]

Yahweh requires discrimination as it pertains to citizenship and ecclesiastical and civil leadership, but He forbids all unlawful discrimination.

Sodomy Promotion

By promoting the Constitution, Constitutionalists promote sodomy. The Fourteenth Amendment's Equal Protection Clause was employed by the Supreme Court in *Romer* *v. Evans* (1996) to protect sodomites. The Court held that Amendment 2 of the Colorado State Constitution, which prohibited Colorado courts from recognizing sodomites as a protected class of citizen, was unjust discrimination. The Constitutional Republic's Supreme Court would also consider Leviticus 20:13 ("If a man also lie with mankind, as he lieth with a woman, both of them have committed an abomination: they shall surely be put to death….") inadmissible discrimination. Although the Supreme Court has yet to rule in favor of sodomite marriages, such a ruling is certainly coming. This, of course, would be impossible if America were living by Yahweh's law.

Section 2

Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, *excluding Indians not taxed*.[44] But when the right to vote at any election for the choice of electors for President and Vice President of the United States, representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the male inhabitants of such state being of twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

Section 2's primary purpose was to change the method for apportioning Representatives from each State in Congress. Instead of counting only three-fifths of each State's slave population (as was previously the case according to Article 1, Section 2, Clause 3), the Fourteenth Amendment stipulated that every Negro citizen would be counted as one whole person. Had Amendment 14 been Biblical, it would have annulled the three-fifths citizenship apportionment rather than adding two-fifths.

This section also sets the age of citizenship (and thus the age of manhood) at twenty-one years. Because the United States was drafting eighteen-year-old boys to fight in Vietnam, the age of citizenship was changed to eighteen by Amendment Twenty-Six, adopted in 1971. Those who drafted and ratified Amendment 14, as well as later congressmen, completely ignored Yahweh's law or thought they knew better than Yahweh. Yahweh set the age of military service (and thus manhood) at twenty years:

Take ye the sum of all the congregation of the children of Israel … every male by their polls; from twenty years old and upward, all that are able to go forth to war in Israel…. (Numbers 1:2-3)

Section 3

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who having previously taken an oath, as a member of Congress, or as an officer of the United States, or as member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

Section 3 addresses insurrection and rebellion of public officials against the Constitution, which should concern Constitutionalists. On the other hand, *Christians* should be troubled –

in fact, outraged – at the insurrection and rebellion committed against Yahweh and His perfect law by the framers in the late 1700s and by presidents, congressmen, and judges ever since the inception of the Constitutional Republic. Which outrages you most: Insurrection and rebellion against WE THE PEOPLE and its constitution? Or insurrection and rebellion against Yahweh and His constitution?

No man can serve two masters: for either he will hate the one, and love the other; or else he will hold to the one, and despise the other. Ye cannot serve God and mammon. (Matthew 6:24)

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. “Fourteenth Amendment to the United States Constitution,” *Wikipedia*, http://en.wikipedia.org/wiki/Fourteenth_Amendment_to_the_United_States_Constitution.

2. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

3. “Fourteenth Amendment to the United States Constitution,” *Wikipedia*, http://en.wikipedia.org/wiki/Fourteenth_Amendment_to_the_United_States_Constitution.

4. Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: Institute for Christian Economics, 1990/1997) p. 846.

5. Yeshua is the English transliteration of our Savior’s given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, “The Third Commandment” may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

6. Daniel J. Boorstin, *The Americans*: *The Colonial Experience* (Norwalk, CT: The Easton Press, 1958/1987) p. 7.

7. Ibid., p. 25.

8. North, p. 393.

9. John Clark Ridpath, *History of the United States*, 4 vols. (New York, NY: The American Book Company, 1874) vol. 1, p. 181.

10. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) pp. 99-100.

11. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

12. Not everyone claiming to be "born again" in the 17th century was properly instructed in what is Biblically required to be born from above. The same is true today. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; and 1 Peter 3:21 should be studied to understand what is required to be born from above and thereby covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, *Baptism*: *All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

13. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

14. Edward J. Erler, professor of political science at California State University, San Bernardino, "Birthright Citizenship and Dual Citizenship: Harbingers of Administrative Tyranny," *Imprimis*(Hillsdale, MI: Hillsdale College Press, July 2008) pp. 2-3.

15. David Barton, *Original Intent*: *The Courts*, *the Constitution*, *& Religion* (Aledo, TX: WallBuilders, 1996/2005) p. 17.

16. *State v. District School Board of Edgerton* (1890), 76 Wis. 117, 44 NW 967, 20 ASR 41, 57.

17. C. Greg Singer, *A Theological Interpretation of American History* (Phillipsburg, NJ: Presbyterian and Reformed Publishing Co., 1964/1981) p. 317.

18. *Abington School District v. Schempp*, 374 U.S. 203, 215-16 (1963).

19. *Roe v. Wade*, 410 U.S. 113 (1973).

20. Ibid.

21. International Information Programs, USINFO.STATE.GOV, "Equal Protection Under the Law," *Rights of the People*: *Individual Freedom and the Bill of Rights*, http://usinfo.org/enus/government/overview/equal.html.

22. John Stossel, "Fight Bigotry Without Government," Townhall.com, 2 June 2010, http://www.mediaite.com/online/john-stossel-revives-civil-rights-act-debate-to-defend-himself-against-racism-allegations/.

23. *Dred Scott v. Sandford*, 60 U.S. 393 (1856).

24. The Naturalization Act of 1795, An Act to establish an uniform Rule of Naturalization…, *Archiving Early America*, http://www.earlyamerica.com/earlyamerica/milestones/naturalization/naturalization_text.html.

25. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English

translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

26. Rushdoony, *The Institutes of Biblical Law*, p. 294.

27. Ibid., pp. 60-61.

28. "Fourteenth Amendment," *The Free Dictionary*, http://legal-dictionary.thefreedictionary.com/fourteenth+amendment.

29. *Plessy v. Ferguson*, 163 U.S. 537, May 1896.

30. North, *Tools of Dominion*: *The Case Laws of Exodus*, p. 676.

31. Gary North, *Political Polytheism*: *The Myth of Pluralism* (Tyler, TX: Institute for Christian Economics, 1989) p. 72.

32. James K. Hoffmeier, *The Immigration Crisis*: *Immigrants*, *Aliens*, *and the Bible* (Wheaton, Illinois, Crossway Books, 2009) p. 77.

33. Rushdoony, *The Institutes of Biblical Law*, p. 89.

34. For a more thorough explanation regarding the Old Testament prophecies concerning the reunion of the house of Israel with the house of Judah as fulfilled in Ephesians 2, *The Mystery of the Gentiles: Who Are They and Where Are They Now?* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

35. For a more thorough explanation regarding the erroneous teaching concerning a spiritual Israel out of all nations, *Spiritual Israel: Out of All Nations or Out of the Nation of Israel?* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

36. For a more thorough explanation regarding the Old Testament prophecies concerning Yahweh's remarriage to a remnant of believing Israelites under the New Covenant, *The Mystery of the Gentiles: Who Are They and Where Are They Now?* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

37. Mark A. Beliles, Douglas S. Anderson, *Contending for the Constitution: Recalling the Christian Influence on the Writing of the Constitution and the Biblical Basis of American Law and Liberty*(Charlottesville, VA: Providence Foundation, 2005) pp. 81-82.

38. For a more thorough explanation regarding the deciphering of the Assyrian Cuneiform tablets, *Missing Links Discovered in Assyrian Tablets* by archeologist Raymond Capt may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

39. Richard Siegel, Carl Rheins, eds., "Identity Crisis," *The Jewish Almanac* (New York, NY: Bantam Books, 1980) p. 3.

40. Dr. Alfred M. Lilienthal, Jr., *What Price Israel* (Chicago, IL: Henry Regnery Company, 1953) p. 223. For additional admissions by today's Jews that they are not Israelites, *God's Covenant People: Yesterday, Today and Forever* (which includes over 700 documented quotations, many of them from Jewish sources) may be read online, or the book may be

ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

41. Hoffmeier, p. 101.

42. Rushdoony, *The Institutes of Biblical Law*, pp. 530-31.

43. North, *Tools of Dominion*, pp. 669-70.

44. All American Indians are now subject to federal taxation.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 24
Amendment 15: Colorblind Voting

Section 1

> The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any state, on account of race, color, or previous condition of servitude.

Section 2

> The Congress shall have power to enforce this article by appropriate legislation.

Ratification

> The Fifteenth Amendment, the last of the three postbellum reconstruction amendments, was ratified on February 3, 1870. The specific purpose of the Fifteenth Amendment was to secure voting privileges for black men who were freed by the Thirteenth Amendment and who became United States citizens through the Fourteenth Amendment. All other male non-Caucasian citizens were also guaranteed the same voting privileges. Like the Fourteenth Amendment, the Fifteenth was ratified by dubious means:

At one point, the ratification count stood at 17 Republican states approving the amendment and four Democratic states rejecting it. Congress still needed 11 more states to ratify the amendment before it could become law. All eyes turned toward those Southern states which had yet to be readmitted to the Union. Acting quickly, Congress ruled that in order to be let into the Union, these states had to accept both the Fifteenth Amendment and the Fourteenth Amendment, which granted citizenship to all people born in the United States, including former slaves. Left with no choice, the states ratified the amendments and were restored to statehood.[1]

The principal incentive behind this Amendment was political. The Republicans needed additional votes in order to establish their party in both the North and the South, and they believed the blacks would support them as the political party that had ended slavery.

…the Radical Republicans imposed a bold agenda of strict reforms upon the former Confederacy. Collectively, their push for African-American political rights surpassed any measure ever seen in the United States. The 38th Congress (1863-1865) quickly passed and submitted for ratification the 13th Amendment (13 Stat. 744-775) – outlawing slavery – in 1865. That same year, Congress established the Freedman's Bureau (13 Stat. 507-509), which was charged with preparing the newly freed slaves for civic life by providing social services and education. In 1866, the 39th Congress (1865-1867) passed the first Civil Rights Bill (14 Stat. 27-30), granting American citizenship to freed slaves, and then expanded upon the legislation by approving the 14th Amendment (14 Stat. 358-359), which enforced the equality of all citizens before the law.… All of the 19th-century black Congressmen were Republicans, recognizing and appreciating the role that the Republican Party played in obtaining their political rights and – for many – their emancipation.[2]

Because blacks were unlikely to vote Democrat, the Democrats, who controlled the Northern states, were determined to block the passage of this Amendment. Little genuine altruism toward the blacks, from either side of the political spectrum, motivated the passage of the Fifteenth Amendment. The freed slaves were looked upon as political expedients:

> The stimulus for the Fifteenth Amendment came from the election returns of 1868. Although Republican presidential candidate Ulysses S. Grant won 73 percent of the electoral vote, he won only 52 percent of the popular vote. Without the southern black voter, Grant would have lost the popular, though not the electoral, vote. In state after state Grant and the Republicans won by precarious margins. Democrats also gained seats in Congress. And in the South during 1868, white Democrats resorted to violence and intimidation in order to prevent black Republicans from voting. Such disenfranchisement of blacks in the south, defeats in state referenda on suffrage throughout the North, and close calls in many elections convinced Republicans that something had to be done by the Fortieth Congress before Democrats arrived in force in the new Congress and in the statehouses.[3]

Gary North gets to the heart of the self-serving political agenda of those who ratified the Fifteenth Amendment: "The black slave became a tool in the statist plans of the North's Republican politicians."[4]

Full voting rights for all blacks did not occur until the mid-20th century:

> Through the use of poll taxes, literacy tests and other means, southern states were able to effectively disenfranchise African Americans. It would take the passage of the Voting Rights Act of 1965 before the majority of African Americans in the south were registered to vote.[5]

This came, in part, as a result of President Lyndon B. Johnson's telling Congress on March 15, 1965, that "we cannot have government for all the people until we first make certain it is government of and by all the people."[6] Although President Lincoln helped emancipate the slaves, he would not have agreed with President Johnson or with the Congress that passed the Voting Rights Act. Lincoln did not believe whites and blacks were equal, nor that they ever could be:

> I will say then that I am not, nor ever have been in favor of bringing about in any way the social and political equality of the white and black races, that I am not nor ever have been in favor of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to this that there is a physical difference between the white and black races which I believe will for ever forbid the two races living together on terms of social and political equality. And inasmuch as they cannot so live, while they do remain together there must be the position of superior and inferior, and I as much as any other man am in favor of having the superior position assigned to the white race.[7]

Consequences

Most politically correct Americans (non-Christians and Christians[8] alike) have been trained to believe the Fifteenth Amendment is a good thing. However, this is just another example of calling good evil and evil good. In addition to the fact that elections are unbiblical, unnecessary, and counterproductive (see Chapter Five "Article 2: Executive Usurpation."), the consequences of Amendment 15's ethnically blind voting privileges led to the participation of blacks and other non-Israelites in political affairs, which, in turn, led to non-Israelites unlawfully ruling over Israelites. (See Chapter Twenty-Three "Amendment 14: First-Birth vs. Second-Birth Citizenship" for a more thorough explanation of the ancient Israelites' genetic affinity with today's Celto-Saxons.)[9] Some of the initial proposals for the Fifteenth Amendment included provisions for holding public office. The terminology that would have allowed blacks and other non-whites to occupy public office did not make it into the Amendment's final draft. Nevertheless, blacks soon began to rule over Caucasians. In several states, this happened in such numbers that blacks quickly dominated some legislatures:

The first African American to vote after the adoption of this amendment was Thomas Mundy Peterson, who cast his ballot in a school board election held in Perth Amboy, New Jersey on March 31, 1870. On per capita and absolute basis, more blacks were elected to public office during the period of 1865 to 1880 than at any other time in American history. Although no state elected a black governor during Reconstruction, a number of state legislatures were effectively under the control of a strong African American caucus.[10]

> By 1877 about 2,000 black men had won local, state, and federal offices in the former Confederate states.[11]

The first African elected into Congress was Hiram Rhodes Revels:

When Senator Hiram Revels of Mississippi – the first African American to serve in Congress – toured the United States in 1871, he was introduced as the "Fifteenth Amendment in flesh and blood."[12]

Revels was said to be the Fifteenth Amendment incarnate, not because he voted, but because he was the first black to be elected a congressman.

Black-majority districts were essential for electing African-American Representatives, especially in South Carolina, which elected relatively large numbers of black Members. Only one man served a district whose population was less than 50 percent black: James Rapier represented, for one term, a southeastern Alabama district whose population was 44 percent black. The rest served districts whose populations were typically at least 60 percent African-American. Reconstruction–Era Republican state legislatures gerrymandered (drew districts that maximized their voting populations) southern states to boost the party's national strength upon their return to the Union.[13]

The domino effect of the Thirteenth, Fourteenth, and Fifteenth Amendments led to non-Israelites unlawfully ruling over Israelites here in America. Instead of re-colonizing the blacks to Africa (as endorsed by Abraham Lincoln), the Thirteenth Amendment ensured their integration into American society, which led to making them American citizens with the Fourteenth Amendment, which paved the way for the Fifteenth Amendment's voting guarantee, which inevitably led to the election of blacks and other non-Caucasians (non-Israelites) into public office.

These [predominately black] legislatures brought in programs that are considered part of government's role now, but at the time were radical, such as universal public education. They also set all racially biased laws aside, including anti-miscegenation laws (laws prohibiting interracial marriage).[14]

Ruling Authority

Regarding the prohibition in Deuteronomy 23:1-3 against certain groups of people and lineages participating in the congregation of Yahweh,[15] R.J. Rushdoony commented on the exclusiveness of Israel's authority:

Congregation has reference to the whole nation in its governmental function as God's covenant people. G. Ernest Wright defined it as "the whole organized commonwealth as it assembled officially for various purposes, particularly worship." The *men* of the legitimate blood line constituted the heads of houses and of tribes.... All the integrity and honesty required by the law was due to every "stranger" (Lev. 19:33, 34), and it was certainly not denied to a man's illegitimate child, nor to a eunuch, an Ammonite or a Moabite. The purpose of the commandment is here the protection of authority. Authority among God's people is *holy*; it does require a separateness. It does not belong to every man simply on the ground of his humanity.[16]

In his dissenting opinion in *Plessy v. Ferguson* (1896), Justice John Marshall Harlan stated that "in view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our Constitution is colorblind, and neither knows nor tolerates classes among citizens." The same is not true under Yahweh's law, Old and New Covenant alike. That the New Covenant was not made with all nations (although non-Israelites may become proselytes) but with a remnant of physical Israelites (Romans 9:27, 11:5, etc.) alone demonstrates a ruling class of citizens in Yahweh's kingdom:

Behold, the days come, saith YHWH,[17] that I will make a new covenant with the house of Israel, and with the house of Judah: Not according to the covenant that I made with their fathers in the day that I took them by the hand to bring them out of the land of Egypt; which my covenant they brake, although I was an husband unto them, saith YHWH: But this shall be the covenant that I will make with the house of Israel; after those days, saith YHWH, I will put my law in their inward parts, and write it in their hearts; and will be their God, and they shall be my people. (Jeremiah 31:31-33)[18]

(See Chapter Twenty-Three "Amendment 14: First-Birth vs. Second-Birth Citizenship" for a more thorough explanation concerning the exclusive nature of the New Covenant with Israelites.)

Equal justice under Yahweh's law is not the same as equal status, particularly as it pertains to citizenship and ecclesiastical and civil leadership:

Thou shalt in any wise set him king over thee, whom YHWH thy God shall choose: one from among thy brethren shalt thou set king over thee: thou mayest not set a stranger over thee, which is not thy brother. (Deuteronomy 17:15)

> And YHWH shall make thee the head, and not the tail; and thou shalt be above only, and thou shalt not be beneath; if that thou hearken unto the commandments of YHWH thy God, which I command thee this day, to observe and to do them. (Deuteronomy 28:13)

Although some non-Israelites lived among the tribes, Moses appointed judges exclusively from the Israelites:

So I took the chief of your tribes, wise men, and known, and made them heads over you, captains over thousands, and captains over hundreds, and captains over fifties, and captains over tens, and officers among your tribes. And I charged your judges at that time, saying, Hear the causes between your brethren, and judge righteously between every man and his brother, and the stranger that is with him. (Deuteronomy 1:15-16)

Yahweh’s law does not permit aliens to rule over Israelites. North equates “the very definition of citizenship” with “the exercise of civil rulership.”[19] On the other hand, he declares, “there can be no lawful discrimination by the State on the basis of differences in race, color, sex.”[20] Deuteronomy speaks for itself. Like so many modern Christians, North has fallen prey to the humanists’ politically correct theology. This is, in part, a consequence of rejecting the pronouncement in Hebrews 8:8-9 that the New Covenant was made with physical Israelites. (See “Amendment 14: First-Birth vs. Second-Birth Citizenship” for an explanation concerning the identity of today’s Celto-Saxon Israelites.)[21] It is nearly impossible to find a reformed pronomian theologian (such as North) who has directly addressed the transparent statements and tribal implications of Hebrews 8:8-9. Instead, they are found arbitrarily changing the recipients of this promise from Israelites to non-Israelites, the church, or generic man. North declares, “… the law is written in the hearts of men…. This work [Yahweh’s law] is in every man’s heart,”[22] but Hebrews 8:10 clearly states the New Covenant is Yahweh’s law written in the hearts of Israelites.

Most people would agree that Yahweh discriminated nationally and ethnically under the Old Covenant. But when the same standard is applied to the New Covenant, it is often met with accusations of racism. If it is racist under the New Covenant, it was racist under the Old Covenant, and if it was not racist under the Old Covenant, then it cannot be racist under the New Covenant. Otherwise, we would need a new commandment under the New Covenant (which we do not have), repudiating Yahweh’s former discrimination. Yahweh’s morality does not change like man’s. Yahweh’s laws, reflecting partiality and requiring segregation, are today identified as racist *because*of man’s fickle “morality.”

The true effect of race knowledge is not to feed our vanity or rouse our boastfulness; rather, it should arouse a profound sense of responsibility…. I lay it down as a rule that whenever the thought of race leads us to boastfulness or contempt, there is something false in it….

> The Bible is not a history of the human race at large, but one distinct strain of people amongst the family of races. All the other races are considered with reference to it…. The Bible deals with one race [more properly nation] which flows like a gulf Stream through the ocean of humanity. As the actual gulf Stream touches two continents and blesses the nations, so this race, in its origin, history and destiny, was selected and equipped for the service of the [other] nations….
>
> Of course, many people still have their own ideas about this, and that creates a difficulty. For when people get their own ideas about things, it always leads to confusion. A man will rise and demand, “By what right does God choose one race or people above another?” …God’s grading is always upward. If He raises up a nation, it is that other nations may be raised up through its ministry. If He exalts a great man, an apostle of liberty, or science, or faith, it is that He might raise a degraded

> people to a better condition. The Divine selection is not a prize, a compliment paid to the man or the race – it is a burden imposed. To appoint a chosen people is not a pandering to the racial vanity of a "superior people;" it is a yoke bound upon the necks of those who are chosen for a special service.[23]

Unfortunately, white supremacists (under many names) use such knowledge to their own profane ends. However, the truth regarding the people with whom the New Covenant was made cannot be abandoned because this knowledge is sometimes used for ungodly purposes.

Verse 9 in the following prophecy is referring to the Greater David, Jesus.[24] This and other internal evidence reveals this is a New Covenant prophecy about Israelites. In this same prophecy, Jeremiah declares that during the New Covenant dispensation the Israelites' rulers were to be appointed from among their kindred:

Thus speaketh YHWH God of Israel, saying … lo, the days come … that I will bring again the captivity of my people Israel and Judah…. For it shall come to pass in that day, saith YHWH of hosts, that … they shall serve YHWH their God, and David their king, whom I will raise up unto them…. And their nobles shall be of themselves, and their governor shall proceed from the midst of them…. And ye shall be my people, and I will be your God. (Jeremiah 30:2-22)

Jeremiah 33:25-26 informs us that as long as day and night continue, Yahweh requires Israelites to be ruled by fellow Israelites. Nothing has changed since Deuteronomy 17:15. Under the New Covenant, Yahweh expects Israelites, with whom He made the New Covenant, to be ruled by Israelites. Anything to the contrary – such as Amendment 15 – is a violation of His law.

One of the *curses* for disobedience to Yahweh's law is that Yahweh's people will be ruled by foreigners (such as Barrack Obama):

The stranger that is within thee shall get up above thee very high; and thou shalt come down very low. …[H]e shall be the head, and thou shalt be the tail. (Deuteronomy 28:43-44)

This curse was specifically legislated and guaranteed by Article 6's prohibition of Biblical leadership stipulations, Amendment 1's provision for polytheism, Amendment 14's first-birth citizenship, and Amendment 15's non-Biblical and non-Israelite voting privileges. This eventually resulted in leadership positions for non-Israelites who often serve gods other than Yahweh. Jesus described what ultimately comes from such Biblical violations:

Every kingdom divided against itself is brought to desolation; and every city or house divided against itself shall not stand. (Matthew 12:25)

America's house began to be divided with the ratification of the Constitution. It was completely severed with the addition of Amendment 14, which paved the way for non-Israelite leadership. Before 1868, Deuteronomy 17:15 was the rule. Now, the United States Constitutional Republic is led by a non-Christian black man. That Obama is neither an Israelite nor a Christian is much more consequential than his dubious United States citizenship.

Legislation reflecting the culture and ethics of non-Israelites often causes Yahweh's people to further rebel against Him and fall under judgment – the ultimate consequence of the Fifteenth Amendment. Yahweh intends Christian Israelites to rule according to His superior and magnanimous laws. Yahweh's laws, including Christian-Israelite rule, are not detrimental to non-Israelites, but rather are for their physical betterment and spiritual enlightenment.

When assessed logically and Biblically (essentially one and the same thing), the Fifteenth Amendment has not benefitted *any* of the races. Few people understand the importance of Christian leadership, let alone the necessity of kinsmen leadership. We have every reason to apply Deuteronomy 17:15 to the New Covenant in the same way we apply it to the Mosaic Covenant. This is reason enough to reject the Fifteenth Amendment.

Click to order the Bible Law vs. The United States Constitution CDs:

- **The e-book (on CD) A Christian Perspective on the U.S. Constitution**
- **The audio CD The Bible vs. The U.S. Constitution (Pts. 1 & 2)**

End Notes

1. "People & Events: Passage of the Fifteenth Amendment," *American Experience*, http://www.pbs.org/wgbh/amex/grant/peopleevents/e_fifteenth.html.

2. "The Fifteenth Amendment in Flesh and Blood: The Symbolic Generation of Black Americans in Congress, 1870-1887," *Black Americans in Congress*, http://baic.house.gov/historical-essays/essay.html?intID=3.

3. "Amendment XV to the U.S. Constitution," *West's Encyclopedia of American Law*, http://www.answers.com/topic/amendment-xv-to-the-u-s-constitution.

4. Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: Institute for Christian Economics, 1990/1997) p. 224.

5. "15th Amendment to the Constitution," *Primary Documents in American History*, The Library of Congress Web Site, http://www.loc.gov/rr/program/bib/ourdocs/15thamendment.html.

6. Lyndon B. Johnson, quoted in "15th Amendment to the U.S. Constitution: Voting Rights (1870)," 28 July 2010, http://www.ourdocuments.gov/doc.php?flash=old&doc=44.

7. Abraham Lincoln, Lincoln's Fourth Debate with Douglas at Charleston, Illinois, 18 September 1858, *Primary Sources*: *Workshops in American History*, http://www.learner.org/workshops/primarysources/emancipation/docs/fourthdebate.html.

8. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

9. For an even more thorough explanation of the ancient Israelites' genetic affinity with today's Celto-Saxons, *The Mystery of the Gentiles: Who Are They and Where Are They Now?* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

10. "Fifteenth Amendment to the United States Constitution," *Wikipedia*, http://en.wikipedia.org/wiki/Fifteenth_Amendment_to_the_United_States_Constitution.

11. “The Fifteenth Amendment in Flesh and Blood: The Symbolic Generation of Black Americans in Congress, 1870-1887,” *Black Americans in Congress*, http://baic.house.gov/historical-essays/essay.html?intID=3.

12. Ibid.

13. Ibid.

14. “Fifteenth Amendment to the United States Constitution,” *Wikipedia*, http://en.wikipedia.org/wiki/Fifteenth_Amendment_to_the_United_States_Constitution.

15. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, “The Third Commandment” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

16. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) p. 85.

17. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, “The Third Commandment” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.**

18. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

19. North, p. 834.

20. Ibid., p. 845.

21. For an even more thorough explanation of the identity of today’s Celto-Saxon Israelites, The Mystery of the Gentiles: Who Are They and Where Are They Now? may be read online, or the bookmay be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

22. North, p. 971.

23. William John Cameron, lecture in Dearborn, Michigan (1933), quoted in The Covenant People(Merrimack, MA: Destiny Publishers, 1966) pp. 2-9.

24. Yeshua is the English transliteration of our Savior’s given Hebrew name, with which He introduced Himself to the Apostle Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, “The Third Commandment” may be read online, or Thou shalt not take the name of YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 25
Amendment 16: Graduated Income Tax vs. Flat Increase Tax

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration.

Ratification

In order to overturn *Pollock v. Farmers' Loan & Trust Co*. (1895) [1](“whereby the attempt of Congress the previous year to tax incomes uniformly throughout the United States was held by a divided court to be [a direct tax]....”,[2]), Congress needed another amendment to the Constitution.

As early as 1896, such an amendment was already a plank in the Democratic Party's platform. “Democratic Representative Cordell Hull of Tennessee introduced income tax legislation in 1907, and the Democratic Party called for an income tax amendment in its 1908 platform.”[3] Republican Presidents Theodore Roosevelt and William Taft were also in favor of an income tax. That some States were already enacting income tax laws also contributed to amending the federal Constitution:

...states, like New York, were enacting their own income tax laws. Some states found that they needed more revenue, other than from property taxes, to support public services like education. ...Wisconsin was the first to adopt a permanent income tax in 1911, a 1% rate to incomes more than $800 for individuals and $1,200 for married couples.[4]

Not everyone, of course, supported a federal income tax. In 1910, Senator Richard E. Byrd, Speaker of the Virginia House of Delegates, made a prophetic indictment regarding the ratification of the Sixteenth Amendment:

[The *Sixteenth Amendment*] means that the state actually invited the Federal government to invade its territory, to oust its jurisdiction and to establish Federal dominion within the innermost citadel of reserved rights of the Commonwealth. This amendment will do what even the *Fourteenth* and *Fifteenth Amendments* did not do – it will extend the federal power so as to reach the citizens in the ordinary business of life. A hand from Washington will be stretched out and placed upon every man's business; the eye of a Federal inspector will be in every man's counting house.

The law will of necessity have inquisitorial features, it will provide penalties. It will create a complicated machinery. Under it businessmen will be hauled into courts distant from their homes. Heavy fines imposed by distant and unfamiliar tribunals will constantly menace the taxpayer ... state lines will exist nowhere but on the map. Its agents will everywhere supervise the commercial lives of the states....[5]

In *Stanton v. Baltic Mining Co*. (1916), the United States Supreme Court ruled, “The Sixteenth Amendment conferred no new power of taxation but simply prohibited the previous complete and plenary power of income taxation possessed by Congress from the beginning from being taken out of the category of indirect taxation to which it inherently belonged.”[6]

Although the Sixteenth Amendment is often cited as the "source" of the Congressional power to tax incomes, at least one court has reiterated the point in *Brushaber* [v. *Union Pacific Railroad* (1916)] and other cases that the Sixteenth Amendment itself did not grant the Congress the power to tax incomes (a power the Congress has had since 1789), but only removed the requirement, if *any*, that any income tax be apportioned among the states according to their respective populations. In the *Penn Mutual* Indemnity case, the United States Tax Court said: "In dealing with the scope of the taxing power the question has sometimes been framed in terms of whether something can be taxed as income under the Sixteenth Amendment. This is an inaccurate formulation … and has led to much loose thinking on the subject. The source of the taxing power is not the Sixteenth Amendment; it is Article I, Section 8, of the Constitution."[7]

Commissioner v. Glenshaw Glass Co. (1955) explained what is encompassed in the term "gross income":

…the Supreme Court laid out what has become the modern understanding of what constitutes "gross income" to which the Sixteenth Amendment applies, declaring that income taxes could be levied on "accessions to wealth, clearly realized, and over which the taxpayers have complete dominion." Under this definition, *any* increase in wealth – whether through wages, benefits, bonuses, sale of stock or other property at a profit, bets won, lucky finds, awards for punitive damages in a lawsuit, qui tam actions – are all within the definition of income, unless the Congress makes a specific exemption, as it has for items such as life insurance proceeds received by reason of the death of the insured party, gifts, bequests, devises and inheritances, and certain scholarships.[8]

One of the reasons the income tax was proposed was to replace sales tax, which was considered inequitable to the poor. However, under constitutional government today, most citizens pay both income and sales taxes, in addition to other sundry taxes. Beginning in 1943, the federal government required employers to withhold their employees' income taxes, causing every employer to become a government tax collector and party to the government's unbiblical encroachment.

Even more insidious is the fact that ungodly organizations such as Planned Parenthood are funded in part by the Constitutional Republic's taxes, which makes tax-paying Christians indirect parties to infanticide and other abominations.

The Tax Protest Movement

With such an all-encompassing tax, is it any wonder the tax protest movement is so large? Nearly everyone opposes the Sixteenth Amendment's income tax to one degree or another. However, with few exceptions, most people object on invalid grounds. The vast majority of opposition to income tax is predicated upon the simple fact that the grumblers and dissenters do not like parting with their hard-earned money – which, in some instances, amounts to nothing more than covetousness or greed. This remonstrance has no basis in law, constitutional or Biblical, for the simple reason that the "money" the government demands from its citizens is not, and never was, theirs to begin with – it belongs to the government.

For those of us who serve Yahweh[9] as God, the increase tithe (a ten percent flat tax) does not belong to us either. In fact, neither does what remains after the tithe. Because "the earth … and the fullness thereof, the world and they that dwell therein" (Psalm 24:1)[10] belong to Yahweh, His servants are merely stewards of everything He provides us. Yahweh has designated the first ten percent of our increase to go directly to His kingdom work. What remains is for us to utilize and invest for ourselves and our families as we best see fit (within moral and kingdom limits) on His behalf.

The tithe is essentially a rental fee to Yahweh and an acknowledgment of His sovereignty:

> God delegates ownership to mankind in terms of a leasehold contract. Men owe Him a tithe as His legitimate return…. Paying a tithe to God is public admission that they are not the sovereign owners, not the autonomous creators.[11]

We all serve and obey something or someone, and whatever or whomever we obey ultimately demonstrates whom we serve as god. Just as the tithe belongs to Yahweh, so does whatever tax any other god demands from its subjects. It is not a question of whether we must pay; it is a question of how much and to whom. The average citizen of the United States Constitutional Republic is taxed much more than ten percent of his increase via graduated income tax, property tax, Social Security, capital gains, unemployment tax, corporate tax, and sundry other taxes, both obvious and hidden. According to the Tax Foundation, the average American paid 26.89 percent in combined federal, state, and local taxes in 2010[12]:

> Tax Freedom Day will arrive on April 12 this year, the 102nd day of 2011. That means Americans will work well over three months of the year, from January 1 to April 12, before they have earned enough money to pay this year's tax obligations at the federal, state and local levels. …Americans will pay more taxes in 2011 than they will spend on groceries, clothing and shelter combined.[13]

In principle, taxpayers are bond slaves to the government for more than a quarter of the year. *In practice*, taxpayers are government slaves twelve months of every year because a percentage of each month's paycheck goes toward the year's aggregate taxes:

> Ancient Egypt, which under Joseph suffered from a 20 percent income tax rate, is called "oriental despotism." Contemporary taxation at twice or three times this level is called progressive democratic fiscal policy.[14]

People have difficulty with Joseph's taxation policy during the seven years of famine in Egypt. In addition to taxing the Egyptians 1/5 rather than 1/10 of their increase, he eventually procured all of the crops, the land, the livestock, and even the Egyptians themselves as slaves for Pharaoh. How could Joseph be a righteous man and tax the Egyptians twice what was Biblically permissible? The answer is found in the position in which Yahweh had placed Joseph. Although ultimately it was done by and for Yahweh's sovereign plan, Joseph's *immediate* position represented Egypt and the god Pharaoh, not Israel and the God Yahweh.

We have no record that Joseph taxed his father and brothers after they set up residence in Egypt. At that time, his family were guests in Egypt. Because they were servants of Yahweh, not Pharaoh, they were exempt from Pharaoh's taxes. They were required to render unto Yahweh, as their God, the things that belonged to Yahweh. Had Pharaoh been their god, they would have been required to render unto Pharaoh the things that belonged to Pharaoh. Had the Israelites been required to pay the Pharaoh-god's taxes, they would have had cause to grumble, resist, and even revolt.

Essentially, this was the same argument that eventually led to the American Revolution. Two of the more prominent rallying cries of the Americans were "No taxation without representation!" and "No king but Jesus!" Because the King of England was not representing them, he was not due their taxes. These early Colonialists had chosen Jesus[15] rather than George as their king:

Any discussion of taxation must involve the discussion of sovereignty because they are indivisible. The power to tax is the claim of ownership and control over man and his possessions, and this claim of ownership is the claim of sovereignty…. Every tax by the state on both man and his property is, in essence, the claim of sovereignty…. The fact that the state claims the right to deny man his life, liberty, and property if he refuses to pay his taxes is simply the claim by the state that it is the ultimate owner of man and his material goods….[16]

Anyone who chooses a surrogate in place of Yahweh is liable for that god's taxes. All Americans, non-Christians and "Christians"[17] alike, whose primary god is WE THE PEOPLE have no legal grounds to grumble or rebel against whatever taxes their god demands. Because they have chosen WE THE PEOPLE as their god, they are required to pay whatever tribute WE THE PEOPLE stipulates. This is precisely what Jesus declared in Matthew 22:21: "Render therefore to Caesar the things which are Caesar's; and unto God the things that are God's." Having perceived the craftiness of the Pharisees and Herodians, Jesus put the ball back in their court by informing them that if Yahweh was their God, they needed to render to Him His dues, but if Caesar (Baal, Allah, Buddha, Krishna, or WE THE PEOPLE) was their god, they needed to render to him his dues. If someone thinks he's being overtaxed, the only permanent solution is to exchange WE THE PEOPLE for a god who does not require as much in taxes.

God's requirement of the tithe is simply the declaration that He is Lord and King over His covenant people. To deny the tithe is to deny God's covenant and to deny that God is our Lord and King. It is simply another way of saying, "We have no king but Caesar" (John 19:15), a cry not only of the chief priests who crucified our Lord, but of the antinomians who crucify Him afresh today.[18]

Although R.J. Rushdoony's conclusion about Jesus' intent (i.e., that Christians are *obligated* to pay both Yahweh's and Caesar's taxes) is incorrect, some of his following thoughts regarding Matthew 22:21 are excellent and, in fact, disprove his own erroneous conclusion:

The Greek text makes clear that the tax [the tribute money] was a "capitation tax,"…. Israel already had a poll tax … required by God's law in Exodus 30:11-16. Its purpose was to provide for civil atonement…. There was thus a particular aggravation in the fact that Rome also required a poll or head tax. The Roman Empire and emperor were progressively assuming divine roles, requiring religious assent, and claiming priority over religion. The poll tax was thus a particularly offensive tax, in that it seemed to require a polytheistic faith, the worship of a god other than the true God….

The right to issue coins had religious overtones for Israel as I Maccabees 15:6 implies…. "'Coin' and 'power' were regarded as synonyms, so that the coin was the symbol of the ruler's dominance." …To give tribute to Caesar thus meant to acknowledge Caesar's power; to approve of giving tribute to Caesar was to acknowledge the legitimacy of Caesar's power. The question implicit in the Herodian's statement was whether any government other than God's has any legitimacy. Christ's assertion of His messiahship was seen by his accusers as a denial of Caesar's right to tax (Luke 23:2), since the messiah as King had to have exclusive sovereignty…. For Jesus to have denied Caesar's right to tax Israel was a mark of insurrection and would make Him liable to arrest. For Jesus to have affirmed Caesar's right to tax would have been, in the eyes of the people, a denial of His messiahship.

…the coins of Tiberius … carried a "bust of Tiberius in Olympian nakedness, adorned with the laurel wreath, the sign of divinity." The inscription read, "Emperor Tiberius August Son of the August God," on the one side, and "Pontifex Maximus" or "High Priest" on the other.… The coins thus had a religious significance. Israel was in a certain sense serving other gods by being subject to Rome and to Roman currency. The point made by implication by His enemies, that tribute to Caesar had religious overtones, was … confirmed by Jesus, even as He proved their own submission to Caesar.[19]

This is the same principle the Apostle Paul conveyed in Romans 13:7: Render tribute, tax, custom, etc., to whomever it is due. Whatever the contemporary interpretation and application of Amendment 16, Constitutionalists need to cheerfully render tribute to WE THE PEOPLE. They do not even have the right to question the amount required by their government, anymore than Christians have the right to question the ten percent tithe Yahweh has claimed as His due. On the other hand, if you are a Christian, subject to the King of kings, you should indeed be questioning Amendment 16 – as you should all of the Constitution – in the same way you would challenge *any*man-made law contrary or hostile to Yahweh's law.

Income vs. Increase

A [graduated or progressive] tax … imposes a greater burden on the wealthy than on those with low incomes because the tax rate percentage increases as one's income or assets increase. Income taxes and estate taxes are progressive taxes.[20]

In 1816, Thomas Jefferson offered prophetic insight about debt and taxes:

If we run into such debts, as that we must be taxed in our meat and in our drink, in our necessaries and our comforts, in our labours and our amusements, for our callings and our creeds, as the people of England are, our people, like them, must come to labor sixteen hours in the twenty-four, give the earnings of fifteen of these to the government for their debts and daily expenses; and the sixteenth being insufficient to afford us bread, we must live, as they now do … [having] no time to think, no means of calling the mismanagers to account; but … glad to obtain subsistence by hiring ourselves to rivet their chains around the necks of our fellow-sufferers.… And this is the tendency of all human governments. A departure from principle in one instance becomes a precedent for a second; that second for a third; and so on, till the bulk of the society is reduced to be mere automatons of misery, to have no sensibilities left but for sinning and suffering.… And the fore horse of this frightful team is public debt. Taxation follows that, and, in its train, wretchedness and oppression.[21]

Jefferson was wrong about only one thing: what he termed *the tendency* is, in fact, *the destiny* of all human governments, including the one he helped form:

The graduated income tax in the United States started small. In 1913, the income tax was levied on couples who earned more than $4,000, the equivalent of more than $80,000 today, and the rate was only 7 percent. The maximum tax rate peaked at 100 percent very briefly when President Franklin Roosevelt issued an executive order that all income over $25,000 be taxed at a rate of 100 percent. This was quickly overturned by Congress but the tax rate did reach 94 percent at the end of World War II.

Though rates have decreased significantly since World War II, the United States still uses a graduated income tax. The 2009 federal income tax is broken up into six brackets: 10 percent, 15 percent, 25 percent, 28 percent, 33 percent and 35 percent.[22]

Yahweh's law not only halts the inevitable fate spoken of by Jefferson, it prevents it. Nowhere does Yahweh's law allow a graduated income tax, such as the one levied upon us by Amendment 16.

Very early in U.S. history, the U.S. Supreme Court recognized that "the power to tax is the power to destroy." [*McCulloch v. Maryland*, 17 U.S. 316 (1819)] This is not a power which God in His law confers upon the state.... Moreover, by means of the tithe and by offerings over the tithe, God places in man's power the ability to reconstruct society in terms of the word of God.[23]

Much has been and could be said concerning the dubious *legality* of the Constitutional Republic's income tax and the Internal Revenue Service, but our focus as Christians should be on the *lawfulness*of this tax. This analysis can only be accomplished by juxtaposing the Sixteenth Amendment's income tax with the law of Yahweh. Yahweh does not require a tax on any part of man's capital but only on the increase from his capital and/or labor:

Thou shalt truly tithe [10 percent of] all the increase of thy seed, that the field bringeth forth year by year. (Deuteronomy 14:22)

Part of the reason tithing is debated today is because many contemporary Christians have not been taught Yahweh expects His government, and therefore His law, to be implemented and enforced here on earth via the type of administration described in Romans 13:1-7, 1 Corinthians 6:1-5, and 1 Timothy 1:8-10. Such a government, like any government, must be funded, and Yahweh's tithing system provides such funding.

Even Christians who debate the validity of the New Covenant tithe should recognize the importance and applicability of the Bible's first-fruit principle. First fruits demonstrate who or what is our god. If your "first fruits" are not furthering Yahweh's kingdom, they are furthering some other kingdom, and you are serving and financing a god other than Yahweh. This god may even be yourself, if you are hoarding your first fruits.

Under Yahweh's government, only increase is taxed and at a fixed or flat rate. In other words, only those who can afford taxes are required to pay them:

When Scripture speaks of the tithe it does so in the context of tithing on an increase that came as a result of some productive effort or service. The tithe is not levied against increase per se [such as inheritance and gifts], but only on those increases that are returns on labor, service, and capital.[24]

More significantly, no one is ever dispossessed of his property because he is unable to pay the increase tax:

In Biblical law, there is no land tax or property tax. Such a tax destroys the independence of every sphere of life and government – the family, school, church, vocation, and all else – and makes every sphere dependent on and subordinate to the state, or civil government.

Since Scripture declares repeatedly that "the earth is the LORD's, and the fullness thereof" (Ex. 9:29; Deut. 10:14; Ps. 24:1; 1 Cor. 10:26, etc.), a land tax is not lawful. A tax on the land is a tax against God and against His law-order.[25]

When a person's entire income and/or property is taxed, the man who, for whatever reason, has no increase with which to pay the tax is forced to sell his property. His and his posterity's inheritance is stolen from him by an allegedly magnanimous government. Yahweh does not tax a man's entire wage, capital, and property because doing so would impede his ability to take dominion and to increase his holdings.

It was impossible to dispossess men of their inheritance under the law of the Lord as no taxes were levied against land. Regardless of a man's personal commitments he could not disinherit his family by being dispossessed of his land forever.[26]

Three Tithes

Yahweh actually requires three tithes. The first is usually identified as the Lord's tithe (Numbers 18:21-24); the second is the festival or rejoicing tithe (which the tither is to spend upon himself and his family – Deuteronomy 14:22-27); and the third is the poor tithe (which is paid every third year in a seven year cycle and is principally used to provide for deserving poor, widows, orphans, and sojourning strangers – Deuteronomy 14:28-29). Tithing is not required in the seventh, or sabbatical year, which is designated as a year of rest.

Under Yahweh's law, the spiritual leaders are to receive only ten percent of the Lord's tithe:

And YHWH[27] spake unto Moses, saying, Thus speak unto the Levites, and say unto them, When ye take of the children of Israel the tithes which I have given you from them for your inheritance, then ye shall offer up an heave offering of it for YHWH, even a tenth part of the tithe.... Thus ye also shall offer an heave offering unto YHWH of all your tithes, which ye receive of the children of Israel; and ye shall give thereof YHWH's heave offering to Aaron the priest. Out of all your gifts ye shall offer every heave offering of YHWH, of all the best thereof, even the hallowed part thereof out of it. (Numbers 18:25-29)

That only ten percent of the Lord's tithe went toward strictly ecclesiastical needs dictates that the remaining ninety percent of the Lord's tithe was utilized for kingdom maintenance and social needs:

God's requirements through the tithes and duties has as its purpose *the government and extension of the Kingdom of God*. These taxes provide for what we now call health, education, and welfare, as well as for worship, the ministry of grace, for missions, and the ministry of justice, the state.[28]

Because the tithe is to advance Yahweh's kingdom, antinomian churches and ministries do not deserve even the ten percent of the Lord's tithe. Additionally, the remaining ninety percent of the increase tithe is due *only* to the type of kingdom rulers described by Paul in Romans 13:

For rulers are not a terror to good works, but to the evil. Wilt thou then not be afraid of the power? Do that which is good, and thou shalt have praise of the same: For he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: for he is the minister of God, a revenger to execute wrath upon him that doeth evil. Wherefore ye must needs be subject, not only for wrath, but also for conscience sake. For for this cause pay ye tribute also: for they are God's ministers, attending continually upon this very thing. Render therefore to all their dues: tribute to whom tribute is due; custom to whom custom; fear to whom fear; honour to whom honour. (Romans 13:3-7)[29]

Under Yahweh's system, a man's increase is the only thing taxed, and the first and third tithes combined never exceed 13.3 percent of a person's gross annual increase – an amount any man with an increase can afford:

Every man shall give as he is able, according to the blessing of YHWH thy God which he hath given thee. (Deuteronomy 16:17)

This, of course, is in contrast to the United States government's spiraling income and property taxes, which one day only the super rich will be able to afford:

Property taxes especially decapitalize the elderly, and poorer members of society, because their incomes seldom keep up with the rising tax burden. Sales taxes decapitalize the middle and lower income members of society since they must spend a larger portion of their incomes than the upper income groups.[30]

The second tithe, which amounts to a tithe to yourself, fosters both frugality and productivity and discourages debt. Implied in the second tithe is that only those with an increase should reward themselves with amenities, such as vacations, new cars, and other luxuries. Such things are obviously not to be purchased on time, so this would all but eliminate personal debt. Less productive people would be motivated to greater thrift, diligence, and productivity by witnessing frugal and productive people reward themselves from their increase. Also implied in the second tithe is that the person with an increase is to spend *only* ten percent of his increase on extravagances. After this and the other two tithes, the person with an increase would then have 76.7 percent of his increase to reinvest in his business or increase his capital, which would in turn strengthen the economy.

The Poll Tax

Yahweh's law also mandates an annual (Nehemiah 10:32) fixed poll tax of 1/2 shekel. This was to be given to the Levites for the service and needs of the tabernacle in the wilderness and later the temple in Jerusalem:

And YHWH spake unto Moses, saying, When thou takest the sum of the children of Israel after their number, then shall they give every man a ransom for his soul unto YHWH.... This they shall give, every one that passeth among them that are numbered, half a shekel.... Every one that passeth among them that are numbered, from twenty years old and above, shall give an offering unto YHWH. The rich shall not give more, and the poor shall not give less than half a shekel.... And thou shalt take the atonement money of the children of Israel, and shalt appoint it for the service of the tabernacle of the congregation.... (Exodus 30:11-16)

Yahweh's tent of meeting, and later His temple, was the seat of His government, and the Levites were civil servants. The poll tax was used to help satisfy government expenses.

Rushdoony points out, "This head tax is specified as equal for all ... [and] by means of this ... equality of taxation, the law was kept from being unjust. It had to be small, since a large amount would be oppressive for the poor, and it had to be the same for all, to avoid the oppression of the rich. Thus discriminatory taxation was specifically forbidden."[31]

Only men twenty years and older were responsible for this tax; women and children were exempt. A poll tax is the same as a head tax, and each family can have only one head. A two-headed family is a monstrosity that causes discord and ultimately the destruction of the family unit. Under Yahweh's patriarchal system, males under twenty years of age and females are meant to be covered under the headship of an adult male who provides for and protects them:

> But I would have you know, that the head of every man is Christ; and the head of the woman is the man; and the head of Christ is God. (1 Corinthians 11:3)

After being married, men leave their parents and become heads of their own households:

> Therefore shall a man leave his father and his mother, and shall cleave unto his wife: and they shall be one flesh. (Genesis 2:24)

When a woman becomes a man's wife, she becomes one with her husband. Any children they bear are, necessarily, members of that family unit. The head of each household represents everyone whom he covers; therefore, only the head of each household is liable for the head tax. Conversely, the Constitutional Republic requires every person (regardless of sex and sometimes even age) with any kind of income to be taxed. This subtly undermines a man's position as head of his wife and children.

Graduated Taxes

Under a graduated tax system, those with higher income bases are taxed at higher rates. What is not often realized is that an increase in taxation, commensurate to the taxable base, *is* Biblical. Yahweh's increase tax requires more from those who make more. If a person has an increase of $100, his basic 10 percent tax would be $10. If another person has an increase of $1,000, he would pay $100, and if someone else's increase is $10,000, he would be liable for $1,000. However, while this represents a progressive tax, the difference between this and the progressive tax of the Constitutional Republic is that, under Yahweh's system, everyone pays the same equitable percentage, whereas under the United States' system, the more a person earns, the higher percentage he pays. For example, if the three taxpayers above were paying a graduated percentage in taxes at brackets of 10, 20, and 30 percent, the first taxpayer would still pay $10, the second taxpayer would pay $200 instead of $100, and the third taxpayer would pay $3,000 instead of $1,000.

The Sixteenth Amendment's graduated income tax is a form of socialism that attempts to put everyone on equal financial footing:

> …the graduated ("progressive") income tax … assumes that all high-income earners have been rewarded disproportionately to their productivity, and all low-income people therefore deserve a share in the high income people's gains. The economically successful must subsidize the unsuccessful.[32]

Such penalization inhibits ambition, dampens initiative, deters enterprise, and is ultimately the economic ruin of society. Under such a system, the only way to pay a smaller percentage in taxes is to be less productive. The Constitutional Republic's tax system can be compared to golfing: You drive hard to get to the green, only to wind up in the hole. Amendment 16's graduated income tax is a cunning way by which a person's profits and at least a portion of his children's inheritance is confiscated. Under Yahweh's economic system, every man twenty years and older pays the exact same percentage on his increase and the exact same amount for the head tax. *That* is equity!

Dominion

The decline of tithing in the 19th and 20th centuries led to … a shift of power to the [secular] state, and also the growth of [unbiblical] taxation to remedy the lack of social financing. Without the restoration of the tithe, there can be no restoration of Christian social order, nor can power be restored to the Christian man under God.[33]

With the tithe, the rule of society is restored to God through His ordained tax. A variety of agencies are created by the tithe to minister to the needs of godly society and to provide the needed social financing. The tithe belongs to neither church nor state: it belongs to God and is to be given by God's people to those who will administer it under God…. Within a generation after the abolition of the legally required tithe in the United States, the state supported and controlled schools came into existence. Because revivalism and antinomianism led to the decline of the tithe … by the beginning of the 20th century welfare came to be a statist function. A new social order came with the abandonment of the tithe, and the rapid increase of taxes ensued, or statist double and triple tithes and more, to further that new order…. If the church collects the tax, the church rules society; if the state collects the tax, the state rules society. If, however, the people of God administer the tithe to godly agencies, then God's rule prevails in that social order.[34]

Actually, church and state should be two components of the same entity (the *ecclesia*), and the state should be ruled by Biblically qualified men, as per Romans 13:3-4, 1 Corinthians 6:1-5, etc. (See Chapter Five "Article 2: Executive Usurpation" for a list of Biblical leadership qualifications.)

It is significant that in the Soviet Union, any charitable activity is strictly forbidden to religious groups. If a church group were to collect funds or goods to administer relief to sick and needy members of the congregation or community, it would immediately create a power independent of the state as the remedy for social problems. It would moreover create a power which would reach people more directly, efficiently, and powerfully. The consequence would be a direct affront to the preeminence of the state.[35]

The Sixteenth Amendment's graduated income tax has been the means for funding an oppressive totalitarian government:

The power of the state, acting through its governmental agencies, to tax its citizens, is absolute and unlimited as to persons and property. Every person within the jurisdiction of the state, whether citizen or not, is subject to this power, every form of property, tangible or intangible, stationary or transitory, every privilege, right or income which exists within the jurisdiction, may be reached and taken for the support of the state.

This doctrine is involved in the general theory of the state. The state exists for the purposes of law, order, and justice; the institution of property, the preservation and security of life, liberty, and property depend upon the existence of the state. Inasmuch as all private ownership of property is postulated on the existence of the state, the state may properly exhaust all the resources of private property in the support and preservation of that existence; inasmuch as all privileges and liberties derive their value from the protection of the state, the state may

> take any share of the value of those privileges and franchises for its support, even to the extent of the whole value.[36]

This absolute power to tax has increased the average American's financial burdens and further secularized the country, putting her under Yahweh's judgment. Yahweh's law, including His taxing system, is perfect. Rejection of His taxing system is another renunciation of His divine authority over every area of life. The unbiblical tax stipulations of both Article 1 and Amendment 16 are formal repudiations of Yahweh's sovereignty.

> Lawful taxation can only spring from lawful authority, and all lawful authority can only originate from God. When taxes are levied by the state in violation of the Word of God, they are illegitimate and illegal [unlawful].... All such taxation, because it takes property, liberty, and life in violence to Scripture, is an attack upon God. It is an attack upon God because all humanist taxation is the attempted robbery of God. It is the attempt on the part of man to strip God of His ownership and control of that which He has created and which He upholds.[37]

Government funding via "tithes" is one of the principal means for securing and maintaining dominion:

> The tithe ... is not only God's tax, but His appointed means toward blessing and dominion (Mal. 3:8-12). Tithing is plainly set forth as a means of power, whereby the people of God can be assured the outpourings of God's prospering hand. The tithe provides the means materially for godly reconstruction, and it makes possible the development and application of Biblical faith to the basic problems of life. To deny the tithe is to affirm slavery. It means choosing statism as against God's order. It is basic to Christian faith, and essential to any Christian order. No man can honestly hunger and thirst for a righteous order and fail to tithe, for to fail to tithe is to ask for statist slave-masters to rule over us.[38]

> …the tithe [makes] a free society possible. If every true Christian tithed today ... we could counteract socialism by Christian reconstruction, by creating Christian institutions and a growing area of Christian independence....[39]

> We must begin now, *not* merely to tithe but to begin Christian reconstruction with our tithe, to re-establish the necessary social functions as Christian action.... Either we work to establish a godly order, or we go down into the hell of total statism.[40]

Can a government really operate on a mere 1/2 shekel head tax and a 13.3 percent direct tax (and from only citizens with an increase, at that)? Today's unbiblical, constitutional federal behemoth *cannot* be maintained on such taxes. This is reason enough to replace America's constitutional government with Yahweh's limited, unobtrusive, and noninvasive government, which is easily maintained by His equitable tax system:

> If we were living in a theocracy, with the Divine constitution, the tithe would cover everything, but at present we are living under man-made governments and man-made governments collect their own taxes. But the tithe still belongs to God. "Render therefore unto Caesar the things which are Caesar's, and unto God the things that are God's (Matt. 22:21; Mark 12:17; Luke 20:25; Rom. 13:1-8). The extra tax exacted by governments of our day is the penalty we pay for not accepting God's rule over us nationally.[41]

A flat increase tax and fixed poll tax are due to the God Yahweh. A graduated income tax is due to the god WE THE PEOPLE. Choose carefully your god and the law by which you wish to live.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. *Pollock v. Farmers' Loan & Trust Co.*, 157 U.S. 429 (1895).

2. "U.S. Constitution, Sixteenth Amendment, Income Tax: History and Purpose of the Amendment," *Find Law for Legal Professionals*, http://caselaw.lp.findlaw.com/data/constitution/amendment16/01.html#1.

3. 26 *Cong. Rec.* 6866 (27 June 1894), quoted in Erik M. Jensen, "The Taxing Power, the Sixteenth Amendment, and the Meaning of 'Incomes,'" 4 October 2002, pp. 7-8, http://www.taxhistory.org/

4. William L. Wunder, "Ratification of the Sixteenth Amendment: Factors that Led State Legislatures to Approve the Income Tax," *Suite101.com*, *Insightful Writers. Informed Readers.*, http://www.suite101.com/content/ratification-of-the-sixteenth-amendment-a211731.

5. Senator Richard E. Byrd, quoted in Donald W. MacPherson, *Tax Fraud & Evasion*: *The War Stories* (Phoenix AZ: MacPherson & Sons Publishers, Ltd., 1995) p. 113.

6. *Stanton v. Baltic Mining Co.*, 240 U.S. 103, 112 (1916).

7. *Penn Mutual Indemnity Co. v. Commissioner*, 32 T.C. l653 at 659 (1959), aff'd, 277 F.2d 16, 60-1 U.S. Tax Cas. (CDH) paragr. 9389 (3d Cir. 1960), quoted in "Sixteenth Amendment to the United States Constitution," *Wikipedia*, http://en.wikipedia.org/wiki/Sixteenth_Amendment_to_the_United_States_Constitution.

8. "Sixteenth Amendment to the United States Constitution," *Wikipedia*, http://en.wikipedia.org/wiki/Sixteenth_Amendment_to_the_United_States_Constitution.

9. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

10. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the Biblical text to ensure it has been properly used.

11. Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: Institute for Christian Economics, 1990/1997) p. 706.

12. After calculating the hidden taxes, some organizations estimate the average citizen is taxed between 50 and 70%.

13. "America Celebrates Tax Freedom Day," *Tax Foundation*,

http://www.taxfoundation.org/taxfreedomday/>.

14. North, p. 370.

15. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to the Apostle Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the sacred names of God, "Third Commandment"may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

16. Edward A. Powell and Rousas John Rushdoony, *Tithing and Dominion* (Vallecito, CA: Ross House Books, 1979) p. 35.

17. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

18. Powell, Rushdoony, pp. 16-17.

19. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) pp. 718-22.

20. Denise L. Evans, JD & O. William Evans, JD., "Progressive Tax," *The Complete Real Estate Encyclopedia* (The McGraw-Hill Companies, Inc., 2007), quoted in *The Free Dictionary*, http://financial-dictionary.thefreedictionary.com/Graduated+income+tax.

21. Thomas Jefferson, Thomas Jefferson Randolph, ed., *Memoirs, Correspondence, and Private Papers of Thomas Jefferson*, 4 vols. (London, UK: Shackell and Baylis, 1829) vol. 4, pp. 297-98.

22. Mark Kennan, "Definition of Graduated Income Tax," 3 August 2009, *eHow*, http://www.ehow.com/about_5257213_definition-graduated-income-tax.html.

23. Rousas John Rushdoony, *Law and Society* (Vallecito, CA: Ross House Books, 1982) p. 264.

24. Powell, Rushdoony, p. 93.

25. Rushdoony, *The Institutes of Biblical Law*, p. 283.

26. Howard B. Rand, *Digest of the Divine Law* (Merrimac, MA: Destiny Publishers, 1943/1959) p. 111.

27. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of*

YHWH thy God in vain may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

28. Powell, Rushdoony, pp. 18-19.

29. For a more thorough explanation of Romans 13:3-7, *Christian Duty Under Corrupt Government: A Revolutionary Commentary of Romans 13:1-7* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $7 donation.*

30. Powell, Rushdoony, p. 57.

31. Rushdoony, *The Institutes of Biblical Law*, p. 282.

32. North, p. 359n.

33. Curtis Clair Ewing, *The Law of Tithing in Scripture* (Sierre Madre, CA, 1969) p. 9.

34. Rushdoony, *The Institutes of Biblical Law*, pp. 511-14.

35. Ibid., p. 58.

36. James M. Gray, *Limitations of the Taxing Power including Limitations Upon Public Indebtedness* (San Francisco, CA: Bancroft-Whitney, 1906) pp. 29-30, quoted in Rushdoony, *The Institutes of Biblical Law*, p. 98.

37. Powell, Rushdoony, p. 39.

38. Rushdoony, *Law and Society*, p. 206.

39. Powell, Rushdoony, pp. 4-5.

40. Ibid., p. 10.

41. Curtis Clair Ewing, *The Law of Tithing in Scripture* (Sierre Madre, CA, 1969) p. 9.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 26

Amendment 17: Additional Unlawful Election Provisions

The Senate of the United States shall be composed of two senators from each state, elected by the people thereof for six years; and each senator shall have one vote. The electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislatures. When vacancies happen in the representation of any state in the senate, the executive authority of such state shall issue writs of election to fill such vacancies; provided, that the legislature of any state may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct. This amendment shall not be so construed as to affect the election or term of any senator chosen before it becomes valid as part of the Constitution.

Amendment 17 was the second of two amendments ratified in 1913:

> This amendment … changed the manner in which senators were elected. Under the original Constitution, senators were selected by their state legislators. This amendment provided for the direct election of senators by the people of each state.… One commentator notes that since this amendment the national government has grown at the expense of the states.[1]

Although Senators are Biblically superfluous, the Constitution's original means of appointment was more Biblical than Amendment 17's provision for elections. The Seventeenth Amendment merely grants additional provisions for Biblically unlawful elections of Biblically unlawful Senators. See Chapter Four "Article 1: Legislative Usurpation" for additional information regarding the Constitutional Republic's unlawful Senate, and Chapter Five "Article 2: Executive Usurpation" for additional information regarding the Constitutional Republic's unlawful election process.

Chapter 27
Amendment 18: Prohibition: Repealed for Good Reason

Section 1

After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof, into, or exportation thereof from the United States and all territory subject to the jurisdiction thereof, for beverage purposes is hereby prohibited.

Section 2

The Congress and the several states shall have concurrent power to enforce this article by appropriate legislation.

Section 3

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several states, as provided in the Constitution, within seven years from the date of submission hereof to the states by the Congress.

Adopted and Repealed

Along with the Volstead Act (also known as the National Prohibition Act), Amendment 18 was ratified on January 16, 1919, and went into effect on January 17, 1920, commencing the national failure known as Prohibition. The Eighteenth Amendment not only failed to curb alcoholic consumption, it greatly facilitated the black market and organized crime:

The advocates of Prohibition had waged a 50-year campaign to ban alcohol and had high hopes for this "The Noble Experiment." Supporters anticipated that alcohol's banishment would lead to the eradication of poverty and vice while simultaneously ennobling the common man to achieve his highest goals. The reality of Prohibition was to prove quite different.

For the next fourteen years much time, money and manpower would be devoted to enforcement, however, the task was impossible. "Rum fleets" filled with liquor from Europe appeared off the Atlantic coast. As many as sixteen ships at a time would lie at anchor just outside U.S. territorial waters while smaller boats made the run to safe harbors. The Canadian border was a sieve through which liquor easily flowed. Clandestine distilleries grew like mushrooms in the city and countryside alike. Speakeasies flourished and the liquor flowed, even finding its way into the White House during Harding's administration.

Alliances between politicians and gangsters assured the public would not want for alcohol. By 1926, it was apparent the Noble Experiment was not working.[1]

Prohibition was eventually deemed unsuccessful, and, in 1933, Amendment 18 was repealed by Amendment 21. Not only was it a failure, it was unbiblical. The Bible condemns drunkenness, but, because it does not condemn alcoholic beverages, forcing abstinence upon others is unlawful.

The temperance movement was at the forefront in pressuring Congress to ban the manufacture, transportation, importation, and exportation of intoxicating liquors. It was mostly made up of women claiming to be Christians.[2] However, rather than taking a Biblical stand on alcoholic consumption, they took an unbiblical stand (one still found in many churches today) that was at the center of framing this unlawful amendment.

1 John 3:4 tells us that "Whosoever committeth sin transgresseth also the law: for sin is the transgression of the law."[3] Because most pastors have rejected Yahweh's[4] law (which defines sin) as applicable for today,[5] and because preachers must have sin to preach against to justify their position as "sin killers," they have come up with their own unbiblical laws – such as condemnation of all alcoholic consumption. Yahweh's law does not condemn alcoholic consumption, nor does it mandate a civil sanction against drunkenness:

> Many actions that are specified in the Bible as sins are not to be tried and judged by the civil magistrate, but this is not evidence of neglect by God; it is instead *a restraint on the growth of messianic civil government*.[6]

Rooftop Liability

In view of the fact that neither Amendment 18 nor church decrees have deterred drunkenness or drug abuse, what can be done about them? Although drunkenness is a sin against Yahweh (what in many instances amounts to idolatry[7]), it is the crimes *committed* by intoxicated people, not the drunkenness itself, that need to be prosecuted:

> …if a man cause a blemish in his neighbour; as he hath done, so shall it be done to him; breach for breach [fracture for fracture, NASB], eye for eye, tooth for tooth [or life for life – Deuteronomy 19:21]: as he hath caused a blemish in a man, so shall it be done to him again. (Leviticus 24:19-20)

This law, known as *lex talionis*, is also the judgment (when required by the injured party) in cases of criminal negligence:

> When thou buildest a new house, then thou shalt make a battlement [railing] for thy roof, that thou bring not blood upon thine house, if any man fall from thence. (Deuteronomy 22:8)

In ancient Israel, when flat roofs served as terraces where homeowners dried and stored crops and entertained guests, homeowners were required to build protective railings around the perimeters. This statute makes homeowners responsible, within reason, for the safety of family members, visitors, and laborers. If a person is injured or killed because of a homeowner's negligence, the homeowner is held liable according to *lex talionis*:

The Bible provides an exception to *lex talionis* when the crime is not premeditated:

> If an ox gore a man or a woman, that they die: then the ox shall be surely stoned … but the owner of the ox shall be quit [go unpunished, NASB]. But if the ox were wont to push with his horn in time past [previously in the habit of goring, NASB], and it hath been testified to his owner, and he hath not kept him in, but that he hath killed a man or a woman; the ox shall be stoned, and his owner also shall be put to death. If there be laid on him a sum of money, then he shall give for the ransom of his life whatsoever is laid upon him. Whether he have gored a son, or have gored a daughter, according to this judgment shall it be done unto him. If the ox shall push a manservant or a maidservant; he shall give unto their master thirty shekels of silver, and the ox shall be stoned. (Exodus 21:28-32)

The ransom in this passage is the only exception for someone guilty of the death of another person. The reason for the exception is not, as R.J. Rushdoony declared, “because the ox is the primary murderer.”[8] The ransom exception applies because no premeditation or malice was involved in the death. This is case law judgment for all cases of negligence.

When a slave is killed because of an ox owner’s negligence, the slave price of thirty shekels can be paid instead of taking the ox owner’s life, if the slave owner agrees to the ransom. If a freeman is killed, no price ceiling exists. Whatever the victim’s next of kin requires – whether the life of the guilty party or whatever ransom amount he requires in lieu of the killer’s life – that judgment must be satisfied. If the offending party cannot pay the required amount, he is to work as an indentured servant until the debt is paid in full (Exodus 22:3). This judgment promotes both individual responsibility and liability. It also helps to curb personal vengeance.

The same is true if the injury were to an eye or a limb. The damaged party would set the price, and the guilty party would choose whether to pay the price or, for example, forfeit his eye. It seems reasonable that the offending party would make a counter offer, but the damaged party would not be obligated to accept it.[9]

An added stipulation for the care of a person who is injured as the result of someone’s negligence is found in Exodus 21:

> …if men have a quarrel and one strikes the other with a stone or with his fist [or is injured because of reckless negligence], and he does not die but remains in bed; if he gets up and walks around outside on his staff, then he who struck him [or who is responsible for his injury] shall go unpunished [shall not be put to death]; he shall only pay for his loss of time, and shall take care of him until he is completely healed. (Exodus 21:18-19, NASB)

Deuteronomy 22:8 may seem antiquated; it is, however, case law that extends far beyond terraces:

> The general principle was that no dangerous condition which could be a hazard to life and health should be allowed to remain around the premises. The same prohibition extended to animals, such as a goring ox (Ex. 21:28-32), or an uncovered pit (Ex. 21:33-34). If an ox gored a person, it had to be killed; if the ox had been guilty of such behavior in the past and had not been killed, and it now killed someone, then both the ox and its owner had to die. However, if the owner kept a dangerous ox penned up, then the person who became gored in an instance of trespass was himself the guilty party. An excavation should be covered or fenced to eliminate liability. Trespass thereafter was the fault of the victim. Thus, there was a duty to protect friends and neighbors who came to one’s home or land, but the liability did not include trespassers or guests who entered a fenced pasture with a dangerous bull therein.[10]

Deuteronomy 22:8, which requires railings around rooftops, is not so much about rooftops as it is criminal negligence. This statute applies to all hazards a person might incur as the result of another person’s negligence. In addition to home safety, this statute applies to the workplace and construction zones, as well as machinery such as farm equipment and automobiles. For example, if demonstrable negligence is established against a tire company for accidents caused by tread separation, the people or company responsible should be held liable according to *lex talionis* and compelled to pay lost wages and hospital bills to the injured or disabled victims. These judgments would go much further in curbing companies from taking cost-saving, but potentially dangerous shortcuts, than do encroaching bureaucracies such as OSHA, the FAA, or the FDA.

In similar fashion, *lex talionis* should be applied to those who abuse alcohol and drugs and thereby injure or kill others:

> An individual who deliberately distorts his own perceptions is implicitly attacking God and his God-created environment.... He then makes decisions under the influence of alcohol or drugs that can physically damage others because of his self-induced distorted perceptions. Drunk drivers are therefore to be prosecuted as criminally negligent, should their acts cause damage. They have "torn off the pit cover" [Exodus 21:33-34, or "removed the railing": Deuteronomy 22:8] with impunity. Their injury-inflicting acts are not to be considered as accidents.... Their injury-inflicting actions are rather the product of an act of moral rebellion: the implicit denial of their own personal responsibility for their actions....[11]

Because Yahweh's law does not altogether prohibit alcohol or drugs, the answer is not to make them illegal as the Eighteenth Amendment (and church edict) did. Just as Amendment 18 was inept at controlling alcoholic consumption, so are current drug regulations. Responsible use should be promoted by punishing only those who cause harm to another person or his property. For example, instead of attempting to curb drunk driving by prohibiting excessive alcohol consumption, any drunk driver convicted of causing or contributing to the death of an innocent person should be put to death or forced to pay whatever the next of kin requires as ransom for his life. If the injured or disabled party does not die, the convicted felon (instead of an insurance company) should be compelled to pay for medical expenses and financial compensation for lost wages during convalescence. This compensation should be in addition to an eye for an eye, a tooth for a tooth, or the required ransom. If the perpetrator cannot pay the required compensation, he is to be indentured until his debt is paid.[12] *Lex talionis* not only promotes personal responsibility, it eliminates the need for the insurance industry.

Man's efforts to control alcohol and drug abusers have been wholly ineffective. When Yahweh's law is enforced and convicted murderers are put to death, society never suffers from repeat offenders after someone is killed as the result of drunken carelessness. If someone is killed, injured, or disabled as the consequence of another person's irresponsible use of drugs, the punishment should correspond to the death, injury, or damage to the victim and their property. Today's ineffective drug and alcohol laws have, in many instances, made criminals out of people who have hurt no one but themselves. This has forced innocent taxpayers to pay for the housing, feeding, and entertaining of people who should never have been imprisoned.[13] Yahweh's law makes people personally responsible for their actions, and His judgments substantially reduce both premeditated crime and careless disregard for the lives and property of others. A downsized and smaller government is an additional benefit of *lex talionis*. Federal agencies such as OSHA, the FDA, and the FAA are superfluous under Biblical law. The oversight of a speedy trials and the administration of the proper judgments are the only government intervention required in liability cases.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. "Prohibition," *Eye Witness to History* (2000), http://www.eyewitnesstohistory.com.

2. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book Baptism: All You Wanted to Know and More may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

3. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the Biblical text to ensure it has been properly used.

4. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

5. See Chapter One "The Perfect Law of Yahweh" for a more thorough explanation regarding Yahweh's moral law as it applies today under the New Covenant.

6. Gary North, *Tools of Dominion: The Case Laws of Exodus* (Tyler, TX: Institute for Christian Economics, 1990/1997) p. 532.

7. For the Scriptural evidence that drunkenness and drug abuse can be forms of idolatry, "The Second Commandment" may be read online, or the book *Thou shalt not make unto thee any graven image*may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

8. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) p. 230.

9. See Chapter Seventeen "Amendment 8: Bail, Fines, and Cruel and Unusual Punishments" for a more thorough discussion regarding *lex talionis*.

10. Ibid., p. 350.

11. North, p. 491.

12. See Chapter Twenty-Two "Amendment 13: Constitutional vs. Biblical Slavery" for additional information regarding indentured servitude.

13. See Chapter Seventeen "Amendment 8: Bail, Fines, and Cruel and Unusual Punishments" for information regarding the United States Constitutional Republic's unlawful prison system.

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although we have a suggested price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 28
Amendment 19: The Curse of Women's Suffrage

The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex.

Ratification

Amendment 19, known as the Equal Rights Amendment (or the Susan B. Anthony Amendment), was introduced in Congress in 1868. It was passed on June 4, 1919, by a vote of 56 to 25, and ratified on August 26, 1920.

Family Breakup

If the Constitutional Republic's exclusive male vote wasn't bad enough, the women's vote presents an entirely new set of problems.[1] Yahweh[2]intends husbands and wives to be one in all areas. Because men generally vote with their heads and women with their hearts, the result is often politically split homes. In Matthew 12:25, Jesus[3] warned that such homes will not stand.

When God deals governmentally with the three institutions of society – church, state and family, he always deals with representatives.... This includes elders in the church, magistrates in the state, and husbands in the family. When Eve sinned, God went to Adam as the responsible party. A universal franchise flies in the face of this principle and puts men and women in a potentially confrontive [*sic*] rather than cooperative relationship.... In early colonial days, the basic governmental unit of the family was given a single vote. The vote was cast by the husband.... Rather than pitting men and women against each other, they found contentment in cooperating within the God-ordained roles assigned to each.[4]

Ironically, in the lingering aftermath of the women's liberation movement, politically split homes have become less frequent. Instead, modern homes resemble the travesty found in Jeremiah 44:

Then all the men which knew that their wives had burned incense unto other gods, and all the women that stood by, a great multitude, even all the people that dwelt in the land of Egypt, in Pathros, answered Jeremiah, saying, as for the word that thou hast spoken unto us in the name of YHWH,[5] *we* will not hearken unto thee. But *we* will certainly do whatsoever thing goeth forth out of *our* own mouth, to burn incense unto the queen of heaven.... And when *we* burned incense to the queen of heaven … did *we* make her cakes to worship her, and pour out drink offerings unto her, without our men? (Jeremiah 44:15-19)[6]

This narrative begins with both men and women "casting their vote" together. Later, the women have completely taken over speaking for their households, and their "vote" has essentially drowned out the voice of their husbands.

Women Ruling Over Men

Amendment 19 and the women's vote assisted in neutering American men, just as in Isaiah 3 when, in judgment, Yahweh removed the men from their capacity as leaders and replaced them with women:

For, behold, the Lord, YHWH of hosts, doth take away ... the mighty man, and the man of war, the judge, and the prophet, and the prudent, and the ancient, the captain of fifty, and the honourable man, and the counsellor, and the cunning artificer, and the eloquent orator. And I will give children to be their princes, and babes shall rule over them.... As for my people, children are their oppressors, and women rule over them. O my people, they which lead thee cause thee to err, and destroy the way of thy paths. (Isaiah 3:1-4, 12)

R.J. Rushdoony commented on Isaiah 3:

Without the authority of the family, a society quickly moves into social anarchy. The source of the family's authority is the father or husband (1 Cor. 11:1-15). The abdication by the father of his authority, or the denial of his authority, leads to the social anarchy described by Isaiah 3:12. Women rule over men; children then gain undue freedom and power and become oppressors of their parents; the emasculated rulers in such a social order lead the people astray and destroy the fabric of society. The end result is social collapse and captivity (Isa. 3:16-26), and a situation of danger and ruin for women, a time of "reproach" or "disgrace," in which the once independent and feministic women are humbled in their pride and seek the protection and safety of a man.... Isaiah clearly saw the absence of the man's authority as productive of social chaos.[7]

Yahweh took away the mighty men because there were no godly men qualified to lead in Judah. Biblical consistency demands it was also because of a scarcity of God-fearing men in Judges 4 that compelled Yahweh to use Deborah to work His sovereign plan and move the men to repentance. Nowhere in Judges 4 and 5 do we find any indication that Yahweh approved of Deborah's ruling over Israel's men any more than we do for Queen Athaliah in 2 Kings 11:1-3. Deborah's tenure must be assessed by what we find in the remainder of the Scriptures. She was an aberration from Yahweh's patriarchal rule and, at least in principle, a curse to the men of Israel:

The mighty men in Israel failed, they failed until Debbora arose.... (Judges 5:7, LXX)

When coupled with Amendment 14 (which confers citizenship privileges), Amendment 19 inevitably led to women ruling over men as mayors, governors, senators, representatives, speakers of the House, and perhaps presidents. This travesty opposes Yahweh's patriarchal design:

…thou shalt provide out of all the people able men, such as fear God, men of truth, hating covetousness; and place such over them, to be rulers of thousands, and rulers of hundreds, rulers of fifties, and rulers of tens: And let them judge the people at all seasons.... (Exodus 18:21-22)

…I suffer not a woman to teach, nor to usurp authority over the man.... (1 Timothy 2:12)

See also Genesis 3:16; Deuteronomy 1:13-16, 17:15; Proverbs 31:23; 1 Corinthians 6:4-5, 11:3, 14:34; 1 Timothy 3:2; and Titus 1:5-7.

Scripture offers no support for women ruling as judges, elders, priests, or in any other position of authority over man.[8] Denying women the right to vote and rule over men does not in any way demean women:

.But the authority of the woman as help-meet is no less real than that of a prime minister to a king; the prime minister is not a slave because he is not king, nor is the woman a slave because she is not a man. The description of a virtuous woman, or a godly wife, in Proverbs 31:10-31 is not of a helpless slave nor a pretty parasite, but rather of a very competent wife, manager, business-woman, and mother – a person of real authority.[9]

Instead of restoring women to their rightful place of authority beside man, women's rights became feminism: it put women in competition with men. It led to the masculinization of women and feminization of men, to the unhappiness of both.[10]

This is a curse upon the land.

…when it comes to civil government, God deals with representatives of the people, not the people as a whole [unless they fail to hold their representing judges accountable for unlawful acts or judgments]. Likewise, in the church he deals with elders … and in the family he deals with the husband. This was the rationale for restricting the vote to male heads of households. The counsel of the wife was highly regarded due to her position as vice-regent within the family, but each covenant household was granted a single vote. That vote was cast by the husband – the covenant head of household – who was governmentally responsible before God.[11]

How much better it would have been if the framers had precluded elections altogether. Yahweh's patriarchal system of appointment eliminates both two-headed monstrosities (homes divided between husbands and wives) and one-headed monstrosities (wife-ruled households).

The Liberal Vote

Because women tend to vote with their hearts, Amendment 19 has contributed to America becoming much more liberal than it was before 1920. For example, women tend to vote against capital punishment and for gun control:

Women do consistently vote in a more liberal direction than men, but the differences have decreased over time and are negligible among Northern Democrats.[12]

Women are not voting more like men; men are voting more like women – shades of Jeremiah 44. Yahweh's system of appointment eliminates *all* liberal votes. It does not allow for liberals or, for that matter, even conservatives, but only for Biblically qualified men. (See Chapter Five "Article 2: Executive Usurpation" for a list of Biblical qualifications for leaders.) Amendment 19 conflicts with Yahweh's patriarchal system. He does not permit women to serve in positions of leadership over men, except as a curse or judgment against men who are no longer mighty in the Lord.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. Yahweh's patriarchal system, whereby male leaders are nominated and then appointed by lot, eliminates any possibility of women leading the nation. See Chapter Five "Article 2:

Executive Usurpation," in which the United States Constitutional Republic's unbiblical election process is contrasted with Yahweh's system of appointments by lot.

2. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

3. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, "The Third Commandment" may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

4. Dennis Oliver Woods, "Governor Sarah Palin and the Biblical Role of Women," *America Betrayed*, http://www.america-betrayed-1787.com/index.html.

5. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

6. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the Biblical text to ensure it has been properly used.

7. Rousas John Rushdoony, *The Institutes of Biblical Law* (The Presbyterian and Reformed Publishing Company, 1973) pp. 200-01.

8. When, in Numbers 12, Aaron and Miriam challenged Moses' authority, only Miriam was struck with leprosy.

9. Rushdoony, p. 164.

10. Ibid., p. 351.

11. Dennis Oliver Woods, *Discipling the Nations*: *The Government Upon His* Shoulder (Franklin, TN: Legacy Communications, 1996) p. 154.

12. Susan Welch, "Are Women More Liberal than Men in the U.S. Congress," JSTOR, http://www.jstor.org/pss/440119.

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 29
Amendment 20: Extraneous Executive Regulations

The terms of the President and Vice President shall end at noon on the 20th Day of January, and the terms of senators and representatives at noon on the 3rd day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin...

Ratification

Amendment 20 was passed by Congress on March 2, 1932, and ratified on January 23, 1933:

> The 1933 "Norris Lame Duck" Amendment [named after Nebraska Senator George W. Norris], as it was popularly known at the time of its ratification, eliminates the December to March Congressional "lame duck" short sessions that resulted from constitutionally and legislatively established dates for the beginning (December) and close (March in odd numbered years) of congressional sessions. The March date reflected the time required to journey to Washington before railroads shortened travel time. Sessions beginning in December of the even years lasted only three months. Congressmen elected in those years did not take office for thirteen months, and those whom they had defeated continued service in the short session. The Sessions, marked by obstructionist filibusters, were unproductive, and in light of change in travel and communications, became obsolete...

The amendment also moves the inauguration date for president and vice president from March to January, clarifies the status of the vice president-elect should the president-elect die before taking office (vice president-elect becomes president-elect), and enables Congress to legislate concerning other stipulated exigencies regarding presidential succession.[1]

Extraneous Executive Regulations

Because the elected positions of President, Vice President, Senators, and Representatives are themselves Biblically extraneous, the additional regulations found in Amendment 20 are also extraneous. See Chapter Five "Article 2: Executive Usurpation" and Chapter Four "Article 1: Legislative Usurpation" for additional information regarding these superfluous positions of leadership.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. “Twentieth Amendment,” *Oxford Companion to the US Supreme Court*: *Twentieth Amendment*, http://www.answers.com/topic/amendment-xx-to-the-u-s-constitution?&print=true.

Chapter 30
Amendment 21: The Repealing of Amendment 18

Section 1

The eighteenth article of the amendment to the Constitution of the United States is hereby repealed.

Section 2

The transportation or importation into any state, territory, or possession of the United States, for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited.

Amendment 21, passed by Congress on February 20, 1933, and ratified on December 5, 1933, repealed the Eighteenth Amendment, which mandated nationwide Prohibition:

The Eighteenth Amendment to the Constitution had ushered in a period of time known as "Prohibition," during which the manufacture, distribution, and sale of alcoholic beverages was illegal. Passage of the Eighteenth Amendment in 1919 was the crowning achievement of the temperance movement, but it soon proved highly unpopular. Crime rates soared under Prohibition as gangsters made millions of dollars on illegal alcohol sales, and corruption was rife among law enforcement agencies.[1]

See Chapter Twenty-Seven, "Amendment 18: Prohibition: Repealed for Good Reason," for the Biblical reasons why Amendment 18 should never have been ratified in the first place.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. "Twenty-first Amendment to the United States Constitution," *Wikipedia*, http://en.wikipedia.org/wiki/Twenty-first_Amendment_to_the_United_States_Constitution.

Chapter 31
Amendments 22-25: Additional Extraneous Executive Regulations

Amendment 22

> No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this article shall not apply to any person holding the office of President when this article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting a President, during the term within which this article becomes operative from holding the office of President, or acting as President during the remainder of such term.

Amendment 22, passed by Congress on March 21, 1947, and ratified on February 27, 1951, limits Presidents to two terms. Because the elected position of President is itself unbiblical, the additional regulations found in Amendment 22 are extraneous. See Chapter Five "Article 2: Executive Usurpation" for additional information regarding the superfluous position of president and the unbiblical nature of term limits.

Amendment 23

The District constituting the seat of Government of the United States shall appoint in such manner as Congress may direct: A number of electors of President and Vice President equal to the whole number of the Senators and Representatives in Congress to which the District would be entitled if it were a State, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment.

Amendment 23, passed by Congress on June 17, 1960, and ratified on March 29, 1961, grants citizens in the District of Columbia the right to vote for electors for President and Vice President. Because elections and the positions of President and Vice President are themselves unbiblical, the additional regulations found in Amendment 23 are extraneous. See Chapter Five "Article 2: Executive Usurpation" for additional information regarding the superfluous positions of president and vice president and the unbiblical nature of elections.

Amendment 24

The right of citizens of the United States to vote in any primary or other election for President or Vice-President, for elector for President or Vice-President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reasons of failure to pay any poll tax or other tax.

Amendment 24, passed by Congress on August 27, 1962, and ratified on January 23, 1964, prevents Congress from prohibiting anyone from voting because they do not pay taxes.

Because the elected positions of President, Vice President, Senators, and Representatives are themselves unbiblical, the additional regulations found in Amendment 24 are extraneous. See Chapter Five “Article 2: Executive Usurpation” for additional information regarding the superfluous positions of president, vice president, senator, and representative and the unbiblical nature of elections.

Amendment 25

Section 1

In case of the removal of the President from office or of his death or resignation, the Vice President shall become President.

Section 2

Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress….

Amendment 25, passed by Congress on July 6, 1965, and ratified on February 10, 1967, provides stipulations regarding presidential and vice presidential vacancies and the resumption of their official duties. Because the positions of President and Vice President are themselves unbiblical, the additional regulations found in Amendment 25 are extraneous. See Chapter Five “Article 2: Executive Usurpation” for additional information regarding the superfluous positions of president and vice president.

Chapter 32
Amendment 26: The Curse Of Children's Suffrage

The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Age of Conscription

Amendment 26 changed the legal age of voters from twenty-one to eighteen. In his 1954 State of the Union Address, President Dwight D. Eisenhower was the first President to publicly support lowering the legal age of voters to eighteen. It had previously been set at twenty-one years of age by Amendment 14. Because of the Vietnam War, in which young men of ineligible voting age were conscripted, the public pressured Congress to amend the constitutional age for voting:

> "Old enough to fight, old enough to vote," was a common slogan used by proponents of lowering the voting age. The slogan traced its roots to World War II, when President Franklin D. Roosevelt lowered the military draft age to eighteen.[1]

The reason for the change in the voting age in 1971 was not so much to grant eighteen- to twenty-year-olds the privilege of voting, but rather to eliminate public opposition against eighteen- to twenty-year-olds being drafted.

Congress had two opportunities to get the age of manhood correct. In both instances (Amendments 14 and 26), they failed. Neither eighteen nor twenty-one is the Biblical age of manhood. Yahweh[2] set the age of military service (and thus manhood) at twenty years:

Take ye the sum of all the congregation of the children of Israel, after their families, by the house of their fathers, with the number of their names, every male by their polls; from twenty years old and upward, all that are able to go forth to war….
(Numbers 1:2-3)[3]

In both instances, Congress ignored Yahweh's will. Why should they consult Him when nothing in the United States Constitution requires them to do so?

Consequences

Numbers 14 describes anyone less than the age of twenty as a child:

How long shall I bear with this evil congregation, which murmur against me?… Say unto them, … Your carcases shall fall in this wilderness … according to your whole number, from twenty years old and upward, which have murmured against me…. But your little ones [everyone less than twenty years of age], which ye said should be a prey, them will I bring in, and they shall know the land which ye have despised. But as for you, your carcases, they shall fall in this wilderness. And your children shall wander in the wilderness forty years, and bear your whoredoms, until your carcases be wasted in the wilderness. (Numbers 14:27-33)

Solomon and Isaiah describe children ruling the nation as one of the curses for violating Yahweh's law:

Woe to thee, O land, when thy king is a child…. (Ecclesiastes 10:16)

For, behold, the Lord, YHWH[4] of hosts, doth take away from Jerusalem and from Judah the … mighty man, and the man of war, the judge, and the prophet, and the prudent, and the ancient, the captain of fifty, and the honourable man, and the counsellor, and the cunning artificer, and the eloquent orator. And I will give children to be their princes, and babes [mere lads their princes and capricious children, NASB] shall rule over them. And the people shall be oppressed … the child shall behave himself proudly against the ancient…. As for my people, children are their oppressors, and women rule over them. O my people, they which lead thee cause thee to err, and destroy the way of thy paths. (Isaiah 3:1-5, 12)

Along with the constitutional right to vote comes the right to be elected to public office. According to Numbers 14, eighteen- and nineteen-year-olds are considered children. Consequently, the Twenty-Sixth Amendment's entitlement of children to rule over adults is a curse upon the nation. Even when eighteen- and nineteen-year-olds aren't elected to public office, their constitutional right to vote can prove to be a curse to the rest of us. Case in point: the majority of eighteen- and nineteen-year-olds who participated in the 2008 presidential election voted for Barack Obama.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. "Twenty-fifth Amendment to the United States Constitution," *Wikipedia*, http://en.wikipedia.org/wiki/Twenty-fifth_Amendment_to_the_United_States_Constitution.

2. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

3. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the Biblical text to ensure it has been properly used.

4. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

*We are admonished in Matthew 10:8 "freely ye have received, freely give." Although we have suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 33
Amendment 27: Extraneous Legislative Regulations

No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.

The text of Amendment 27 was submitted to the States as part of the proposed Bill of Rights on September 25, 1789. It took almost 203 years for this amendment to finally be ratified on May 7, 1992:

> The Twenty-seventh Amendment provides that any change in Congressional salaries may only take effect after the beginning of the next term of office for Representatives. Sometimes called the "Congressional Compensation Amendment of 1789," the "Congressional Pay Amendment," and the "Madison Amendment," it was intended to serve as a restraint on the power of Congress to set its own salary – an obvious potential for conflict of interest.[1]

Since its 1992 adoption, however, this amendment has not hindered members of congress from receiving nearly annual pay raises, characterized as "cost-of-living adjustments" (COLAs), rather than as pay raises in the traditional sense of the term. The United States Supreme Court has refused certiorari for a lawsuit challenging Congress's COLAs as unconstitutional, stating that the citizens bringing the lawsuit had no legal standing for bringing the lawsuit, as they had not proved they were personally harmed by the COLAs. Hence, members of Congress have been able to obtain increases in compensation without triggering the restrictions which this amendment seeks to impose. It should be pointed out that it is Congress that determines whether federal judges will receive an increase in *their* salaries.... Additionally, retirement benefits of federal judges are linked with those of members of Congress.[2]

The last paragraph demonstrates the good ol' boys club that exists among all three branches of the Constitutional Republic.

The"Last"Amendment

Amendment 27 is the most recent amendment to the United States Constitution. In all likelihood, more amendments will be added in the future, because, unlike Yahweh's[3] immutable everlasting standard, WE THE PEOPLE's morality is capricious and ever-changing. In the last 222 years (1789 to 2011), the Constitution has been amended, on average, every 8.2 years. Eighteen years have passed since the ratification of the Twenty-Seventh Amendment, which makes the Constitution overdue for amendment. Amendments *will* occur again, unless the subjects of the King of kings recognize and repent of their national idolatry and replace the entire Constitution with Yahweh's perfect law and altogether righteous judgments.

Click to order the *Bible Law vs. The United States Constitution* CDs:

- •The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- •The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. “Twenty-seventh Amendment to the United States Constitution,” *Wikipedia*, http://en.wikipedia.org/wiki/Twenty-seventh_Amendment_to_the_United_States_Constitution.

2. “Twenty-seventh Amendment to the United States Constitution,” *Wikipedia*, http://en.wikipedia.org/wiki/Twenty-seventh_Amendment_to_the_United_States_Constitution(3/21/2008).

3. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, “The Third Commandment” may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.

Chapter 34
Choose Ye This Day

The law of YHWH[1] is perfect, converting the soul: the testimony of YHWH is sure, making wise the simple. The statutes of YHWH are right, rejoicing the heart: the commandment of YHWH is pure, enlightening the eyes. The fear of YHWH is clean, enduring for ever: the judgments of YHWH are true and righteous altogether. (Psalm 19:7-9)[2]

- Do *you* believe the law of Yahweh[3] is perfect?
- Do *you* believe the testimony of Yahweh is sure?
- Do *you* believe the statutes of Yahweh are right?
- Do *you* believe the commandment of Yahweh is pure?
- Do *you* believe the fear of Yahweh is clean, enduring forever?
- Do *you* believe the judgments of Yahweh are true and righteous altogether?

If you are a Libertarian, you scarcely believe in any law whatsoever, and therefore the Psalmist's assertions have little or no relevance to you – *or so you think*.

If you are a Democrat, you do not even make a claim to believe any of these declarations – unless, of course, you are running for public office and think doing so will secure votes for you.

If you are a Republican, you do not *really* believe any of these statements.

If you are a Christian[4] Constitutionalist, you may claim you believe the Psalmist's statements, but judging by your actions – particularly your allegiance to the United States Constitution – you do not believe Psalm 19:7-9 anymore than do the Libertarians, Democrats, and Republicans.

Anyone who believes Yahweh's law is perfect will distance himself from these and any other political parties that represent anything other than Yahweh's commandments, statutes, and judgments, and they will refuse to vote for their candidates. (See Chapter Five "Article 2: Executive Usurpation" for additional information regarding the unbiblical nature of elections.) The man who believes Psalm 19:7-9 will pursue Yahweh's law – His government here on earth as it is in heaven – to prepare the way for future generations to experience Yahweh's kingdom to its fullest.

Although some people will be offended, it must be said: Christian Constitutionalists are just as much idolaters as are Republicans, Democrats, and Libertarians, and the Pharisees whom Jesus[5]denounced:

This people draweth nigh unto me with their mouth, and honoureth me with their lips; but their heart is far from me. But in vain they do worship me, teaching for doctrines the commandments of men. (Matthew 15:8-9)

If a person elevates the commandments of men as doctrine, or canon, his heart does *not* belong to Christ. The Constitution is a compilation of the commandments of men. It is not inspired Scripture, and it is antithetical to Yahweh's law in nearly every article and amendment. The "Christian" faith of those who promote it is in vain:

And they come unto thee [Yahweh] as the people cometh, and they sit before thee as my people, and they hear thy words, but they will not do them: for with their mouth they shew much love, but their heart goeth after their covetousness [their own desire]. (Ezekiel 33:31)

Many people claim they love Yahweh, but their actions prove otherwise:

If ye love me [Jesus], keep my commandments. (John 14:15)

For this is the love of God, that we keep his commandments…. (1 John 5:3)

We cannot claim to keep Yahweh's commandments while promoting a national covenant antagonistic to those same commandments. How dare we think He will accept our obedience to man's law as evidence of our love for Him? As finite beings, we are not free to dictate to Yahweh where and when His moral laws are and are not to be observed. The previous two passages apply to *every* sphere of our existence, not just our personal lives. Any sphere in which we are not applying Yahweh's law is indicative of our rebellion and is doomed to fail:

Except YHWH build the house, they labour in vain that build it…. (Psalm 127:1)

Unless we are laboring to build Yahweh's house – a government of, by, and for Him – our labor is futile:

…This people say, The time is not come, the time that YHWH's house should be built. Then came the word of YHWH … Is it time for you, O ye, to dwell in your ceiled [paneled, NASB] houses [our own, the White House, the House of Representatives, or the Senate], and this house lie waste? …Consider your ways. Ye have sown much, and bring in little … he that earneth wages earneth wages to put it into a bag with holes…. Go … and build the house; and I will take pleasure in it, and I will be glorified, saith YHWH. Ye looked for much, and, lo, it came to little; and when ye brought it home, I did blow upon it [blow it away, NASB]. Why?… Because of mine house that is waste, and ye run every man unto his own house. (Haggai 1:2-9)

History has proven that, according to Biblical standards, the efforts of those who labored to build a government of, by, and for the people have been in vain:

Notwithstanding they would not hear, but hardened their necks, like to the neck of their fathers, that did not believe in YHWH their God. And they rejected His statutes, and his covenant that he made with their fathers, and his testimonies which He testified against them; and they followed vanity, and became vain…. (2 Kings 17:14-15)

Yahweh's Government vs. Man-Made Government

Nothing demonstrates the superiority of Yahweh's government better than contrasting it with man-made government. Regrettably, because most Christians are merely waiting to go to heaven, they have been duped into believing government affairs are none of their concern. They take the stance that because government is "of the world," they should not concern themselves with it. The United States government is most certainly of the world *because* Christianity abdicated rule to the non-Christians and antichrists. We have exchanged Yahweh's law and morality for man's lawlessness and immorality. We have handed over the kingdom for *less* than a mess of pottage.

This hands-off government policy of today's Christians is a relatively new phenomenon. The first-century apostles and disciples certainly did not take this same approach, as demonstrated in Acts 17:6-7, Romans 13:1-7, 1 Corinthians 6:1-5, 2 Corinthians 10:6, 1 Timothy 1:8-11, etc. Nor was this the approach taken by most of America's Christians in the 1600s and early 1700s. King George detested America's pre-Revolutionary War ministers for their interference in government affairs so much that he attempted to replace them with his own Episcopal lackeys – the early version of the 501(c)(3) government-issued preachers of today. If a government is transgressing Yahweh's law, those running it will not want preachers around pointing out their lawlessness and creating a disgruntled populace. What better way to constrain and control preachers than to convince them government affairs are none of their business?

Because most of today's Christians have yet to fully comprehend the responsibilities that come with being the light of the *world* and the salt of the *earth*, the government has been able to muzzle most preachers by licensing them. He who provides the license also provides the rules of conduct. Even if preachers were to awaken from their slumber, the government would be able to control most of them by threatening to revoke their tax-exempt status. Whatever entity provides exemption is the jurisdictional god of what it exempts.[6] Churches must rescind the 501(c)(3) tax-exempt status that makes them subservient to the government instead of Yahweh. Until then, today's churches, preachers, and Christians will only add sin to sin:

> Woe to the rebellious children, saith YHWH, that take counsel, but not of me; and that cover with a covering, but not of my spirit, that they may add sin to sin. ...this is a rebellious people, lying children, children that will not hear the law of YHWH. (Isaiah 30:1, 9)

The word "cover," in the phrase "cover with a covering," is translated from the Hebrew word *nacak*. Some Bible versions translate it "treaties" and "alliances," words not far removed from "covenants" and "constitutions." James Strong's definition of *nacak* is even more interesting:

> …a primitive root; to pour out, especially a libation, or to cast (metal); by analogy, to anoint a king.[7]

In 1 Samuel 12, the people recognized they had added to their sins by asking for a king (a surrogate covering):

> And all the people said unto Samuel, Pray for thy servants unto YHWH thy God, that we die not for we have added unto all our sins this evil, to ask us a king. (1 Samuel 12:19)

America is in the same position today. She has added to her sin by enthroning another god: WE THE PEOPLE. (See Chapter Three "The Preamble: WE THE PEOPLE vs. YAHWEH" for proof that WE THE PEOPLE is indeed a god.)

More Scripture Disbelief

In addition to rejecting Psalm 19:7-9, Constitutionalists also fail to believe the Prophet Isaiah's affirmation:

> For YHWH is our judge, YHWH is our lawgiver, YHWH is our king; he will save us. (Isaiah 33:22)

Yahweh has a monopoly on sovereignty, justice, and legislation – just as much as He does on salvation. Although Christian Constitutionalists may claim they believe this affirmation, in practice, they reject Yahweh as King, Judge, and Lawgiver, just as the Israelites did when they chose a flesh and blood king instead of Yahweh. Tragically, the Israelites desired to be *like* all the nations around them even though Yahweh had chosen them to be *above* the other nations:

> And YHWH hath avouched thee this day to be his peculiar people [treasured possession, NASB], as he hath promised thee, and that thou shouldest keep all his commandments; and to make thee high above all nations which he hath made, in praise, and in name, and in honour; and that thou mayest be an holy people unto YHWH thy God, as he hath spoken. (Deuteronomy 26:18-19)

Israel's law observance and Yahweh's subsequent blessings not only set the Israelites apart from other nations (in the same way 17th-century Christian America was set apart), they were also Yahweh's witnesses to the rest of the world of the prosperity and blessings that come from serving Him according to His moral laws:

> Behold, I have taught you statutes and judgments, even as YHWH my God commanded me, that ye should do so in the land whither ye go to possess it. Keep therefore and do them; for this is your wisdom and your understanding in the sight of the nations, which shall hear all these statutes, and say, Surely this great nation is a wise and understanding people. For what nation is there so great, who hath God so nigh unto them, as YHWH our God is in all things that we call upon him for? And what nation is there so great, that hath statutes and judgments so righteous as all this law, which I set before you this day? (Deuteronomy 4:5-8)

> YHWH our God be with us, as he was with our fathers.... That he may incline our hearts unto him, to walk in all his ways, and to keep his commandments, and his statutes, and his judgments, which he commanded our fathers. ...[B]e nigh unto YHWH our God day and night, that he maintain the cause of his servant, and the cause of his people Israel at all times ... that all the people of the earth may know that YHWH is God, and that there is none else. (1 Kings 8:57-60)

Proverbs 14:34 declares, "Righteousness exalteth a nation." Isaiah 24:5 proclaims, "The earth ... is defiled ... because they have transgressed the laws, changed the ordinance, broken the everlasting covenant." Under the New Covenant, Yahweh has again chosen a Christian remnant of His people to reign as examples to the rest of the nations. However, Christian Israel,[8] as a whole, has rejected this position of honor by rejecting Yahweh as their King, Judge, and Lawgiver. They have lost their privileged status – at least in practice – and have become less than all the nations around them, trampled under the foot of man.

If we hope to reverse this condition, Christian Israel must enthrone Yahweh, not only in their hearts, but also in their homes, their churches, their communities, and eventually in their nations. Enthroning Yahweh requires the pursuit of His law in *every* sphere of life. *If* they pursue Yahweh's laws at all, most Christians, pursue them only in their hearts, homes, and churches. They leave their communities and nations to the non-Christians and to the immoral laws of their gods, including the constitution of WE THE PEOPLE.

The Dualism of "Christian" Constitutionalists

Christian Constitutionalists are like the Babylonian King Nebuchadnezzar who, on one hand, proclaimed Yahweh as the God of gods and, on the other hand, erected an image made in his own likeness. What is interesting about this dualism is that most people do not realize they are afflicted with it. Aaron apparently did not realize he was practicing dualism when, in

Exodus 32:3-5, he dubbed the golden calf "Yahweh." A Christian's devotion cannot be split between Yahweh's perfect law and man's law, which are at odds with each other:

> Because that, when they knew God, they glorified him not as God, neither were thankful; but became vain in their imaginations, and their foolish heart was darkened. Professing themselves to be wise, they became fools, and changed the glory of the uncorruptible God into an image made like to corruptible man…. Who changed the truth of God into a lie, and worshipped and served the creature more than the Creator, who is blessed for ever. Amen. (Romans 1:21-25)

Romans 1 is a textbook portrayal of what results from a government of, by, and for the people versus a government of, by, and for Yahweh. The claim of Christian Constitutionalism is as oxymoronic as the claim of Judeo-Christianity.[9] It is spiritual schizophrenia. The Constitution is almost as antithetical and hostile to Yahweh's law as is the Babylonian Talmud. As Christians, and therefore subjects of the King of kings, our devotion is due *exclusively* to Yahweh, His kingdom, and his law. Synonyms of devotion include fidelity, allegiance, ardor, fealty, loyalty, and homage. These are all forms of worship to which Yahweh claims exclusive rights:

> For I am jealous for you with a godly jealousy; for I betrothed you to one husband, that to Christ I might present you as a pure virgin. But I am afraid, lest as the serpent deceived Eve by his craftiness, your minds should be led astray from the simplicity and purity of devotion to Christ. (2 Corinthians 11:2-3, NASB)

This betrothal is the fulfillment of Hosea's prophecy of the return of the ten-tribed house of Israel to Yahweh as His New Covenant bride:

> And I will betroth thee unto me for ever; yea, I will betroth thee unto me in righteousness, and in judgment, and in lovingkindness, and in mercies. I will even betroth thee unto me in faithfulness: and thou shalt know YHWH. (Hosea 2:19-20)

This and 1 Corinthians 10:1 identify the Corinthians as descendants of the house of Israel. (See Chapter Two "The Kingdom: Yesterday, Today, and Forever" for additional information regarding Yahweh's New Covenant marital relationship with Christian Israelites.[10]) Having betrothed a remnant of Israelites to Himself, whose covenant and law do you suppose Yahweh intends them to keep?

> Behold, the days come, saith YHWH, when I will make a new covenant with the house of Israel and with the house of Judah…. For this is the covenant that I will make with the house of Israel after those days, saith YHWH; I will put my laws into their mind, and write them in their hearts: and I will be to them a God, and they shall be to me a people. (Hebrews 8:8-10)

As a virgin espoused to Yahweh, Israel kept His law, but as an idolatrous whore, she kept the laws of her lovers. What are *we* when we choose some other law in addition to or above Yahweh's law? To be devoted to a document that is not in accord with Yahweh's law amounts to rejection of His law, and therefore Yahweh Himself. If the two are in accord – as some Constitutionalists naïvely claim – why do we need the Constitution? Or someone might argue on the same grounds, *why do we need the Bible*? If the Constitution is consonant with Yahweh's law, it is both redundant and superfluous. If it is not consonant with Yahweh's law, the Constitution is treasonous and seditious to Yahweh and His kingdom.

Christian Constitutionalists would have us believe the Constitution was inspired by the Bible. In Pastor Chuck Baldwin's July 1, 2005, Internet post "Bible Inspired America's Founding Documents," he wrote:

> The destruction of America's founding principles can be traced to the country's willful rejection of the Bible as our source of divine authority.[11]

I could not agree more: America's *founding* principles – not those from the late 1700s, but those from the early 1600s, which were based upon Yahweh's law – have been destroyed by America's willful rejection of the Bible. This began officially, nationally, and practically with the ratification of the Constitution. No one would argue that a few Biblical principles can be found in the Constitution. But we also find a plethora of instances in which the Constitution not only conflicts with Biblical laws and principles, but in which it blatantly attacks Yahweh and His exclusive sovereignty and authority.

Baldwin is certainly not the only Constitutionalist who equates the Constitution with the Bible and constitutionalism with Christianity. In response to Alabama's Court order for Chief Justice Roy Moore to be dismissed from his bench for refusing to remove the Ten Commandments monument erected in front of the Alabama Supreme Court Building, the late Dr. D. James Kennedy paradoxically declared the following:

> Today's action by the Alabama Court of the Judiciary is a deplorable example of why our nation, and most particularly our judicial system needs to return to recognition of God and His law. Unable to discern between the rule of law and a federal court order that violates the rule of law contained in the U.S. Constitution, the Court of the Judiciary has removed Chief Justice Moore.[12]

Kennedy implied that a return to the Constitution is equivalent to a return to Yahweh and His law. How does Yahweh feel about that? Consider what Yahweh informed the house of Israel before He divorced them:

> Israel is an empty vine, he bringeth forth fruit unto himself: according to the multitude of his fruit he hath increased the altars [to idols]; according to the goodness of his land they have made goodly images [sacred pillars, NASB]. Their heart is divided; now shall they be found faulty…. For now they shall say, We have no king, because we feared not YHWH…. (Hosea 10:1-3)

Yahweh declared the Israelites were bringing forth fruit unto themselves. Is this not what "a government of, by, and for the people" does? Since the Constitution was ratified, the idols in America have multiplied a hundredfold. With the ratification of the Constitution, Christian America ceased to exist and a Judeo-Christian America commenced. America quickly became completely polytheistic – one nation under many gods, in violation of the First Commandment "Thou shalt have no other gods besides Me [Yahweh]." (See Chapter Eleven "Amendment 1: Government-Sanctioned Polytheism" for additional information regarding Amendment 1's seditious provision for polytheism.)

When Christians appeal to both the Bible and a Constitution that is antithetical and antagonistic to Yahweh's law, how can their hearts not be divided? They no more serve Yahweh as their King than did the Israelites in Hosea's day:

> …the Assyrian shall be his king, because they refused to return. And the sword shall abide on his cities, and shall consume his branches, and devour them, because of their own counsels

> [because they do what they themselves think best, TEV]. And my people are bent to backsliding from me: though they called them to the most High, none at all would exalt him. (Hosea 11:5-7)

In his editorial "Tom Anderson on Christianity and the Constitution" (in which the word "Constitution" is printed at least four times larger than is the word "Christianity"), Anderson declared our loyalty as Christians is due, not to the moral laws of Yahweh, but to the Constitution:

> Some Christians contend that we should support whatever government is in power because it is ordained of God. But our authority, in this greatest of all free Republics, resides not in man, nor even in a majority vote in the Congress or the Supreme Court, but in the Constitution of the United States. It is to the Constitution that we owe our loyalty…. Let us remember that ours is not just America's battle. Nor our personal battle. It is God's battle.[13]

Our loyalty is due *only* to Yahweh and His law. His battle, and thus His subjects' battle, is not for constitutionalism, but for His kingdom here on earth as it is in heaven, governed solely by His commandments, statutes, and judgments.

R.J. Rushdoony described the Constitution as "a good procedural manual"[14] to be employed by Christian government. But how can something so contrary to Yahweh's laws be a good procedural manual for those same laws? Gary North, Rushdoony's son-in-law, commented on this "procedural manual":

> Rushdoony says that the Constitution's procedural morality can be *and is* legitimately religiously neutral, and that any interest group can adopt the Constitution's procedural morality to create whatever law-order they choose, without violating the text of the nation's covenanting document. *But the text is all there is of the underlying religious foundation*. If the text were silent, then there would be no formal underpinning. But the text is not silent. The text [Article 6] categorically prohibits the imposition of the biblical covenant oath in civil law. Let us put it covenantally: *what the text of the U.S. Constitution prohibits is Christianity*.
>
> There can be no dualism in a covenantal document. It either serves the God of the Bible or some other god. There can be no neutrality. Constitutions are inherently substantive, but this ethical foundation is manifested in its procedural stipulations.[15]

What North described as dualism, the Prophet Daniel depicted as confusion:

> O Lord, righteousness belongeth unto thee, but unto us confusion of faces, as at this day…. O Lord, to us belongeth confusion of face, to our kings, to our princes, and to our fathers, because we have sinned against thee…. Neither have we obeyed the voice of YHWH our God, to walk in his laws, which he set before us by his servants the prophets. Yea, all Israel have transgressed thy law, even by departing, that they might not obey thy voice; therefore the curse is poured upon us…. (Daniel 9:7-11)

This is a perfect depiction of the United States Constitutional Republic's government officials and today's Constitutionalists. North aptly describes the consequences:

> …any attempt to achieve it [neutrality] in covenantal affairs inevitably ends up favoring covenant breakers in their active pursuit of God-defying agendas … and every attempt to implement it judicially works to undermine the kingdom of God.[16]

Cost and Reward

Christians must stop serving two masters. We must choose between the document that begins "We the People," and the one that begins "In the beginning God." We must choose between a government of, by, and for the people and a government of, by, and for Yahweh. Like Gideon in Judges 6, we must tear down our fathers' idol and altar before we can restore Yahweh's kingdom here on earth.

These are the statutes and judgments, which ye shall observe to do in the land, which Yahweh God of thy fathers giveth thee to possess it, all the days that ye live upon the earth. Ye shall utterly destroy all the places, wherein the nations … served their gods, upon the high mountains, and upon the hills, and under every green tree: And ye shall overthrow their altars, and break their pillars, and burn their groves with fire; and ye shall hew down the graven images of their gods, and destroy the names of them out of that place. (Deuteronomy 12:1-3)

Without question, this is a costly decision. It will, at the very least, demand a change in beliefs. It will cost some people their pride. It will cost relationships, perhaps fellowship, and, for some pastors, even their ministries. People may be persecuted.[17] However, any cost incurred will be far exceeded by the rewards of choosing correctly: Yahweh's pleasure and blessings, the legacy we leave our posterity, peace and prosperity, and the foundations for what will ultimately be the near elimination of crime.

If WE THE PEOPLE be God, follow them. But if Yahweh be God, we *must* follow Him. As for me and my house, we will follow and serve Yahweh as God, King, Judge, and Lawgiver. Everyone who truly believes Yahweh, His kingdom, and His law are perfect and sufficient must do the same – in the life to come *and* here on earth now.

The night is far spent, the day is at hand: let us therefore cast off the works of darkness…. (Romans 13:12)

Click to order the *Bible Law vs. The United States Constitution* CDs:

- •The e-book (on CD) *A Christian Perspective on the U.S. Constitution*
- •The audio CD *The Bible vs. The U.S. Constitution* (Pts. 1 & 2)

End Notes

1. Where the Tetragrammaton (YHWH) – the four Hebrew characters that represent the personal name of God – has been unlawfully rendered the LORD or GOD in English translations, I have taken the liberty to correct this error by inserting YHWH where appropriate. For a more thorough explanation concerning the use of the names of God, "The Third Commandment" may be read online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska, 69363, for a suggested $4 donation.*

2. All Scripture is quoted from the King James Version, unless otherwise noted. Portions of Scripture have been omitted for brevity. If you have questions regarding any passage, please study the text to ensure it has been properly used.

3. YHWH (most often pronounced Yahweh) is the English transliteration of the Tetragrammaton, the principal Hebrew name of the God of the Bible. For a more thorough explanation concerning the sacred names of God, "The Third Commandment" may be read

online, or the book *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

4. Not everyone claiming to be a Christian has been properly instructed in the Biblical plan of salvation. Mark 16:15-16; Acts 2:36-41, 22:1-16; Romans 6:3-4; Galatians 3:26-27; Colossians 2:11-13; and 1 Peter 3:21 should be studied to understand what is required to be covered by the blood of Jesus and forgiven of your sins. For a more thorough explanation concerning baptism and its relationship to salvation, the book *Baptism: All You Wanted to Know and More* may be requested from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for free.

5. Yeshua is the English transliteration of our Savior's given Hebrew name, with which He introduced Himself to Paul in Acts 26:14-15. (Jesus is the English transliteration of the Greek Iesous, which is the Greek transliteration of the Hebrew Yeshua.) Because many people are unfamiliar or uncomfortable with Yeshua, I have chosen to use the more familiar Jesus in this book in order to remove what might otherwise be a stumbling block. For a more thorough explanation concerning the use of the sacred names of God, "The Third Commandment" may be read online, or *Thou shalt not take the name of YHWH thy God in vain* may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

6. For additional information regarding the idolatry of today's 501(c)(3) churches, "The Second Commandment" may be read online, or the book *Thou shalt not make unto thee any graven image*may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

7. James Strong, "Dictionary of the Hebrew Bible," *The New Strong's Exhaustive Concordance of the Bible*, s.v. *nacak* (Nashville, TN: Thomas Nelson Publishers, 1990) p. 79.

8. The term "Christian Israel" should not to be confused with the false doctrine of an alleged spiritual Israel consisting of Christians from Israelite and non-Israelite nations alike. Spiritual Israel: Out of All Nations or Out of the Nation of Israel? may be read online, or the book may be obtained from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $4 donation.*

9. The term "Judeo-Christianity" refers to the vast segment of Christianity heavily influenced, often unknowingly, by the Talmudic religion of Judaism, which is the traditions of the elders condemned by Christ. The religions of Judaism and Christianity are wholly incompatible, as demonstrated in their respective books of faith – the Talmud and the Bible. This incongruity is addressed in detail in *God's Covenant People*: *Yesterday*, *Today and Forever*. God's Covenant People may be read online, or the book may be obtained from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $14 donation.*

10. For additional information regarding Yahweh's New Covenant marital relationship with Christian Israelites, *The Mystery of the Gentiles: Who Are They and Where Are They Now?* may be read online, or the book may be ordered from Bible Law vs. The United States Constitution, PO Box 248, Scottsbluff, Nebraska 69363, for a suggested $10 donation.*

11. Chuck Baldwin, "Bible Inspired America's Founding Documents," Chuck-Wagon Email Commentary, 1 July 2005, http://www.chuckbaldwinlive.com.

12. Dr. D. James Kennedy, “Dr. D. James Kennedy Responds to Moore Removal,” Coral Ridge Ministries Press Release, Fort Lauderdale, 13 November 2003, http://www.coralridge.org.

13. Tom Anderson, “Tom Anderson on Christianity and the Constitution,” *American Opinion*(Belmont, MA: September, 1979).

14. Rousas John Rushdoony, Interview with Bill Moyers, *God and Politics on Earth as It is in Heaven*(Alexandria, VA: PBS, 23 December 1987).

15. Gary North, *Tools of Dominion*: *The Case Laws of Exodus* (Tyler, TX: The Institute for Christian Economics, 1997) pp. 1210-11.

16. Gary North, *Conspiracy in Philadelphia*: *The Broken Covenant of the U.S. Constitution* (Draper, VA: Nicene Council.com, 2004) p. xxviii.

17. The cost in books that promote the Constitution, which must eventually be destroyed because they promote sedition against Yahweh (Acts 19:18-20), will be in the millions of dollars.

*We are admonished in Matthew 10:8 “freely ye have received, freely give.” Although we have a suggested a price for our books, we do not sell them. In keeping with 2 Corinthians 9:7, this ministry is supported by freewill offerings. If you cannot afford the suggested price, inform us of your situation, and we will be pleased to provide you with whatever you need for whatever you can send.